

THE
CASE
OF

Mrs. *Elizabeth Andrewes*,
eldest Daughter of the late

Widow *Atye*,

Fully related from the dealing of the said

Widow *ATYE*

and her Daughter

STANTHWAIT

of *Silver-street, London*, where she de-
ceased the 3. of *January* last past.

*Psal. 35. 12. They rewarded me evil for good, to the great dis-
comfort of my soule.*

*Psal. 55. 12, 13. For it is not an open enemy that hath done
me this dishonour; for then I could have borne it: Neither was it
mine Adversary that did magnifie himself against me, for then
(peradventure) I would have hid my self from him.*

Cic. lib. 1. Offic.

*Injustitiæ duo genera sunt, unum eorum qui inferunt alterum eorum, qui ab
iis quibus infertur, si possunt, non propulsant injuriam
Qui autem nec defendit nec obsistit, si potest, injuriæ, tam est in vitio quam
si parentes, aut amicos, aut Patriam deserat.*

*Lib. 3. Si enim sic erimus affecti, ut quisque propter suum emolumentum
spoliet aut violet alterum, dirumpi necesse est eam, quæ maxime est se-
cundum naturam humani generis societatem.*

*Illud natura non patitur, ut aliorum spoliis, nostras facultates, Copias,
opes, augeamus.*

London, Printed, 166c.

THE CLASS

OF THE

Widow's

WALT

each child
is given
a copy of
this book

On the morning of the 1st of

May, 1880, the

first volume

of the

series of



The Case of
 Mrs. *Elizabeth Andrewes*,
 Daughter of the late Widow *Atye*, &c.

IT was wittily said, that to write an Apologie, is to do a voluntary Penitance in a Sheet; and oft-times it proves true, as being indeed a thing obnoxious to a general prejudice, and lookt upon as that which comes too near a fault, according to the common Notion and vulgar acceptation of the word Apology: Least therefore this paper be mistaken for one, tis necessary here to premise that no such thing is intended by it; the party, whose name is prefixt, and her husband also have the confidence to tell the world, and that upon a just ground too, that they have never done any thing, in reference to the parties herein after chiefly mentioned, which any way stands in need of an apology. But they must needs say that those persons have done so much as puts a necessity upon the party above mentioned, and her Husband of giving a relation of the whole course and state of affairs between them, which shall be herein done plainly, and truly, (avoiding all partiality to their Interest) they being willing to suffer, where the Truth is not broad enough to defend them.

So then, The mother, and the younger sister, and the husband of the younger sister, to the person above named, *Omnia si per-* with their behaviour towards her, are together both the *das famam ser-* present occasion and subject of my penn, and the end of *uare memento,* it, is onely to clear the Innocency, and so rescue the cre- *quâ semel mis-* dit of the injured party, that she may not at once, toge- *sa postea nul-* ther with her estate, lose that also, which all truly inge- *lus eris.* nuous Natures prefer, not only before it, but even before life it self.

A

I must

I confesse, it carries a very great probability with it, that, there must needs be a very great unworthiness in the cause, and a crime not easily to be excused, when the passion of a *Mother* is so far exasperated, as even into a fixed malice (as it were) against the Childe of her bowels, and when others, (especially so nearly related, as a *Sister* and *her Husband*,) can be forward to bet and cherish so unnatural a disposition against their *Sister*. That thus it was, I take to be sufficiently manifested, by their dealing towards her, and why it was so, I know the world (which was never backward, even *Parte inauditâ alterâ*, to use the libertie of judging,) will soon pronounce, and especially, those that know least, will (so much the rather, for the reasons already hinted; and I can the lesse blame them) fix a severe censure upon the suffering *Partie*, when those by whose designe and endeavours, she is brought into that predicament, not onely reap the crop of their desired and intended profit, but also carry away the credit of highly well deserving; and that, as it were the fruit of the same endeavours, whose just reward can be nothing else but disgrace and infamie: Our behaviour towards others, and not onely that, but also the dealing of others towards us, is often made the rule and standard, whereby our credit is measured out: Nay indeed, it is not altogether so much what we do, as what we suffer, (because commonly more notorious, and from which the nature of man is more abhorrent) which render us condemned or acquitted in the judgment of the world: Tis true, those persons that suffer unjustly (though none know it but themselves) have with *Jonathan*, honey upon the rod, yet that credit-wounding sting, which then accompanieth it, (beside that sense of griefe, whereby all our suffering doth naturally affect us) is more bitter than the sentence of death; This was the case of *Job* himself, and those uncharitable reproaches & reasonings of his friends, (whereby they did condemn him) were more grievous then all the execution the Devil did, either upon his person or estate; Nor could he (though a mirrour of patience) refrain

*Committunt eadem diverso
Crimina Fato.
Ille Crucem
pretium sceleris
tulit, hic diadema. Juven.
Sat. 13.*

1 Sam. 14. 27.

(3)

frain from expressing his sense of it : Indeed, in respect of God Almighty, we cannot suffer unjustly, what ever it be, and it becomes us therefore, to lay our hands upon our mouths, or if we open them, let it be in such an humble confession, *We have sinned, and thou O Lord hast punished us lesse than our deserts*; But yet in respect of men (when they arrogantly presume upon vindicative justice) all my divinity is yet to satisfie me; that silence is not a sin, if we can truly professe our integrity; how can we be truly obedient to those precepts; *Abstain from all appearance of evill; But let none of you suffer as an evill doer*; (which certainly none will say are onely against a forwardness to do evill, or what may appear so, and not against a willingness to suffer any evill, which may represent us to others as doers of evill) unlesse we use a liberty to endeavour by all means we can, the clearing of our innocencie, and the rescuing of our credit, when captivated: For I am sure, tis not in the power of mortals to preserve themselves or what they have, from reproach and injustice, were it otherwise, the trouble of this relation following had not fallen upon me; And let none say I have my self taken it up, out of a too great sensibility of this suffering: And that the injury spreads not so far as I pretend; nor doth at all blemish the reputation of the party injured: *For mine ears have heard the check of her reproach, therefore the spirit of my understanding hath caused me to answer.* Job 20.3.

¹ Thess. 5. 22.
¹ Pet. 4. 15.

About one or two and twentie years since, *Charls Atye* of *Fenchurch street* in *London*, Merchant, (a Gentleman of worthy extraction and very good Credit, and of great Interest in the affections of all his acquaintance) deceased, leaving behinde him, *Mrs Elizabeth Atye* his Widow, with five Children, three Sons and two Daughters, which according to their severall ages are thus reckoned; *Arthur, Edmond, Elizabeth, Charls* and *Anne*, unto all whom, his death was a multiplied affliction and disadvantage, by reason his estate was that time at some Ebb, (through several late great losses by Sea, and otherwayes perplexed,)

disabling him to make provision for them, according to the largeness of his Affections; the speediness of his death also preventing him in the settlement of his affairs: But God, who is Protector of the Widow and the Fatherless, brought them soon out of their trouble, & (through the affectionate endeavours of some friends) settled them (with credit) in a very comfortable way, the Widow continuing in the same House, whence she buried her Husband till her Lease was expired, which was some years.

Mrs. Rudyerd.

The three eldest of those five Children, who were in being at the death of their Mothers Mother, had some provision made for them by her; so also had a fourth child, who dying shortly after, her part, (being divided) gave an equall increase to the several Interests of those three remaining: After this, a Sister of their Mothers, not onely doubles those estates, but also makes an equall provision for the two younger Children, *Charles* and *Anne*; and further adds to what her Sister their Mother had before, the Use of a considerable sum of Money for her life, and after her death to be divided between the Surviving Children of her said Sister; but it pleased God (after a while) to provide better for the three Sonnes, by taking them to himself: So that within five or six years after her Husbands decease, the Widow *Athy* hath onely two daughters left with herself, and between them all a good considerable estate, to maintain them; the two daughters are called *Elizabeth* and *Anne*, *Elizabeth* hath the more years by six, and a double estate at her dispose, above the younger daughter, but *Anne* was the darling, and had alwayes more then a double portion in her Mothers affection. And now with these two Daughters, the Widow *Athy* lives meanly, to say no more, but leave it for a fuller Epithete, to the judgement of those who shall rightly consider: The truth is, from the time her eldest Daughter came to any considerable years, to wit, from about the fourteenth year of her age, her Mother keeps no other, but puts her said Daughter to all the drudgery of a servant, and more indeed than any servant would have done (besides the ordinary

ordinary affaires of an House) in tending upon her self and younger Daughter, who were both ever sickly, and oft in need of many mean offices to be performed for them, which she did at all houres, as well by night as by day, when any occasion required; Such kinde of breeding as this was all her Mother gave her; what she hath obtained beside, she oweth onely to the blessing of God upon her own disposition and industry, which made her very usefull to her Mother. For (excepting onely the disposing of monies abroad) she did all which was to be done, and transacted, both abroad and at home, acquitting her self like a true Nurse towards her Mother, and a mother to her younger sister: And in this course, she continued about the time of *Jacobs* double servitude, which yet seemed not so tedious, for the love she bare them; Nay, therefore, what she did was not onely without grudging, but with a willingnes, and that not a bare willingnes neither, but joyned with a chearfulnesse, (which is the happines of her natural disposition) No necessity of maintenance did over-rule her, for she had of her own what was convenient; no pleasure or easines of life did allure her, for it was continually troublesome and full of toile; no profit did perswade her, for she had not the salary of the meanest hired servant. Twas onely the sense of her Duty towards her Mother, and the tenderness of her natural affection towards them both, which made her their readie Servant, and so strongly did it prevaile upon her, that no consideration could take place against them: Notwithstanding it was evident enough, both to her and all others, that her Mother did exceedingly prefer her younger sister in her affection, and all other things, not onely without all reason, *but against divers strong ones, which might be offered to the contrary*: And notwithstanding she knew also, that she had a clear estate of about foure hundred pound in her own present power and dispose, which her mother had nothing to doe with, though she assumed it, and the profit of it into her own hands, without asking the consent, or advising with about, or ever giving any account, or any allowance

For which purpose, she asked advice of her brother *Mr. Richard Read*, and of others also, who did assure her it could not be done, for that it descended to her by Will, and she was Heir to it also, before the other was in being.

allowance out of it, to this her elder daughter. Nor, further, was this said elder Daughter ignorant that her mother would, and did really endeavour to defraud her of 100l. of her Estate, which she would have assured to the younger Daughter, because she knew the elder had two hundred pound more estate than the younger sister:

I know it will seem strange unto any indifferent person, that any Parent should be forward to offer a childe, or any childe should be patient of (though from a Parent,) such injuries as this; I have therefore (as it behoves me) set down nothing, nor will I set down any thing, but what can be sufficiently proved to any one that shall be so desirous, and we are yet much short of what can be said.

In the year 1655. some monies being paid into the Widow *Atyes* hand, an Acquaintance of hers spake unto *Mr. Abbot* the Scrivener in *Cornwall* of it (chiefly out of respect unto the eldest daughter, that her Interest might be secure) *Mr. Abbot* desires three hundred pound upon one occasion, which he promiseth to dispose of into good hands, and for better satisfaction to become himself joint Security for it within three weeks, but till about that time, he could not take it up; because the principall party, with whom he would be bound, should be so long out of town, in the mean time, he would relie upon this proffer; yet upon further thought, for so inconsiderable a sum as three weeks Interest, the Widow *Atye* resolves to hazard the fortune of it, in case any one would take it presently out of hand; and upon that account, sends for one *Bostock* a Scrivener behinde the *Exchange*, who (as the Devill would have it) never wanted a Chapman for such easie & carelesse customers, but engageth all the Widows money presently, upon promise of security from that time, (So that when *Mr. Abbot* sent (according to his word) he found himself very courteously disappointed) but who could help it, *Bostock* was the nimbler man at that time; and he put out three hundred pounds of the money to one person

Intending also to take all the rest.

Nay, one who was *M. Bostock's* Servant at that time (and sure

son, but with more hast than good conscience, or good speed; and this is done by direction of the Widow *Aye* to be in the name of *Elizabeth Aye* her eldest Daughter, yet without asking her consent, or so much as letting her know any thing of it, till after it was done; nor did she then deliver her Daughter the Security (though her Daughter was then 25 years of age, and any one would think, as fit to be trusted with her own estate, as her mother) but the security she kept her self, such as it was, (indeed very good in shew, being for the form of it the best in law, a Statute on the parties Lands, and a Bond from him and his brother (for *Bostock* was not to learn how an ignorant customer was to be allured, and therefore insinuates himself by a pretence of extraordinary care, in obtaining her more and stronger Security than she imagined) Well, the Security the Mother keeps her self, and never delivers it to her Daughter, untill after she knew the Principal was in hazard to be lost, as indeed it proved, and now is so. For, would you know in what bottome it was ventured; I must then tell you of one *Sr. William Halton*, a person who had run out a faire estate, and being now out of breath, made shift to be yet supported upon others shoulders, making it his businesse to cozen no more than all he could, (as may appear in a particular, since drawn up to be presented to the Parliament) For these courses, this man was forced very shortly after to flye into *France*, where he yet remains: Nay, at that time, he was out of all credite in other places (as I can prove) and could take up no money, but what he got by means of *Postock*, who it seems made no Conscience to ensnare those, who must have confidence in o-

He also when it was done encouraged the daughter, telling her it was extraordinary Security, and said he, by virtue thereof, you may seize upon his estate, if you will to morrow: indeed a rotten Wall excellently well coloured over.

I could name another person also, to whom *Bostock* brought this worthy chapman, to deale for above 1000*l.* at a clap, and she being sick her self in bed at that time, trusted to *Bostock's* report of him yet so warily, as that she further engageth him to search more particularly in the Statute Office if there were no engagements upon his Estate, which he promiseth to doe, and returns, telling her he had done so, but findes no incumbrance; and further saith, he is confident the party oweth not a hundred pound in all the world, but to his Shop: yet shortly after this Gentlewoman was well enough to go abroad again, she knew the contrary to her trouble and cost, finding her self by search in the Office Statute upon Statute.

thers

20. diffini hominis
39. fallens dum
qui falsus non offor
missi Eni didiff
 Cic:

thers, because themselves are ignorant : but I doe unwillingly mention him, for his memory is not so gratefull; therefore I will here leave him, the rather also, because I fear I shall have too much reason to remember him anon in another place; onely thus much more in this: if he thinks I have already said too much, and have the impudence to reply, let him know, *Quod nunquam me impune lacefferit*: We must now return again to the Widdow Atye, and her two daughters, where we finde, that many very faire and considerable Proffers had been and were made, in the way of Marriage, for the elder Daughter, which she had and doth peremptorily reject, (to the apparent hazard of her daughters welfare and good fortunes.) Nay, she never entertained any such motion with a smooth brow, nor would she endure the report of them

Which the elder Daughter seeing was contented with patience to submit to her Mothers humour, though had she been so forward as some, since her Mother still refused all without and against reason, she might have accepted of some one without scruple, her Mothers carriage (out of all doubt) forfeiting her power over her, and it, also her age considered, making her *sui solius juris*.

without vehement contradiction: Whereas, notwithstanding the very first motion which was made for the younger Daughter, she very calmly, entertained and quickly assented to, indeed she knew well enough what comfort and advantage the use of her elder Daughters estate, and the service of her person had for a long time afforded her; and she was now too fearfull of loosing it altogether if that she

were once bestowed upon an Husband; and she hath bewrayed as much to some persons, who are yet alive, to testifie her speech to them to this purpose; That her elder Daughter could live well enough abroad of her self, but she and the younger could not live so well without her; and therefore why should she marry so long as her Mother lived; for her part she said she would not give way to it.

And yet this woman, was afterward taken in the humour, and an offer made, by a freind for her elder daughter in the behalf of the same party, whose wife, she now is; This man, had the good, or the bad luck, to be accepted by the old woman, and entertained with extraordinary respect,

respect; she also after promising before good witnesses, (one of them the party who first made this motion) that in consideration of Marriage, she would at her Death make an equall dividend of what she had in her own dispose; and for her elder Daughter, she said, she had four hundred pounds already, & two hundred and fifty pounds more at her Death, to be paid her, which is 650l. which she could not hinder her of. This was a faire encouragement to the party abovesaid, to apply himself to the Daughter, who upon consideration and further enquiry, had no lesse encouragement to accept of him; so that a mutual liking and assent passed between them upon this ground and account: And all this was after such time, as the Mother had consented the younger Daughter should marry, and had given her fully and freely before Witnesse unto a person, who indeed afterwards never had her, but the fault lies at his own door.

Things thus depending, there falls out an occasion which requires the absence divers moneths together, of the party who was in league with the elder Daughter; during which intervall, the younger daughter, (whose disappointed love it seems had not at all alayed, but encreased rather that amorous passion;) having let loose her thoughts to flie, like an untamed haggard, at the contemplation of Matrimony, could not (it seems) now make them stoop to the lure of reason and discretion; but they fasten upon the first game, which after presents it self; and as if her Mothers first Consent to her for the party, who had now withdrawn himself, had been a blank Commission to be filled up according unto the pleasure of her own fancy onely; she speedily takes occasion to bestow her self, and that in a clandestine manner, upon a person to whom (by meer accident) she became known; and this without so much as ever asking her mother the question, or letting her Sister, or any other friend, which had any relation to her, have the least knowledge of it: This carriage of hers, was resented by her Mother with much grief and anger, as an hainous Crime, (as indeed it

B

was,

*ut Corpus testis
vis sit mens in
firma puellis*

Contrary to
the better ex-
ample of her
elder sister.

*Edward
Stambrwait
by name.*

was) and much moved she was at it: But yet that overfondnesse of affection, which she did alwayes bear towards this her darling daughter, did much shadow any fault she could commit, and soon made way for a reconcilment, as disposing her to be easily credulous of smooth pretences and faire promises: So after a little time, she admits her younger daughter and her husband, her now son in law, into her pardon, and so far also into her care, as that she proceeds to advise them to take an house, which they quickly after happen upon in *Silvester-street*; and she gives them a considerable Portion of goods, towards the furnishing it: And now it so falls out, that the Mother

And to the due commendation of the elder sister, be it noted that at all this she shewed not the least grudging, but behaved her self chearfully, and very affectionately towards her sister, in whose behalf, also she voluntarily became a suitor to her Mother, and prevailed with her to give her younger sister several goods, and to let her have some moneyes also, which she had accordingly. This she did freely & with a chearfull affection, though with the elder brother, she might well have expostulated the matter; and that with as good arguments as any he did against the Prodigal Son of his Father. *Luke 15. 29.*

cannot conveniently stay any longer in her old lodging in *Crutched Fryars*; whereupon, though she was not so well satisfied with them, as to let them have her person: yet she further gives them leave to take the rest of her goods home to them, and freely grants them the use of them all, excepting for one Chamber, which she conveys with her self to her new lodging on *Tower-hill*: Very desirous now was the Widdow *Athe*, that her elder Daughter should quite abandon all thoughts of Marriage, and resolve to continue her servant as before, untill the death of one of them should set her free: But her

Friend now shortly returns, and speedily makes her his wife, and that in a faire, lawfull and credible manner, before several freinds and relations of good account on both sides.

The truth is, the Mother was now no whit pleased hereat, as quite frustrating her own designe, and yet she knew she could not justly, no not with the least colour of reason, be angry; and therefore, things were on all sides, quickly well smoothed, as to outward appearance; and the Mother gives her elder daughter five pounds as a testimony.

Decemb. 26
1657.

ny of her love; the like sum also she gave to her daughter *Stanhwait* the younger sister; to whom over and above, she removes her person, with all the rest of her goods, and what Plate and Linnen she had, and lives with her and her husband at their House in *Silver-street*: The elder sister (who we must now know by the name of *Andrews*) is taken home by her husband to an house with all other accommodations suitable, where they lived content, neither of them ever receiving, or asking, directly or indirectly, by themselves, or the mediation of any others, any thing of her mother; and they being conscious to themselves, of nothing which had deserved the least disrespect from her, were forward to hope, that when any occasion offered it self (at least wise at her death) if they or any of theirs survived her, she would be ready to manifest such affection towards them as became a Mother: And in the mean time, they were willing to forebear whatsoever might administer the least occasion of distast to her, or difference between any of them; and further were ready to perform what ever might continue the good affection of her mother towards them, or lay further obligation upon her, which they did, for the mother being (as was said) sickly, and having ever been used to the service and attendance of her elder daughter, could not now be content without her presence and the continuance of her endeavours, and as she most needed it, so she did still expect and require it; Nor in vain, for it was readily and chearfully afforded her; and to say the truth, for above two years, which the Mother lived after the Marriage of this her elder daughter, there were not very many days of all that time (Sundayes excepted, on which days for the most part she staid at home) wherein she did not personally see her and afford her service and help (though her dwelling was at a great distance, and for twelve moneths of that time she was a Nurse, and must needs then neglect her childe for her mothers sake, who, if sometimes she happened not to see her two or three dayes (especially if she her self were more ill than ordinarily) would take it angrily

Est enim non modo liberale paululum nonnunquam de suo jure recedere, sed interdum etiam fructuosum.

and send after her; and further, during all this said time, she constantly every week took care to buy for her mother most of her daily food, for (she being used to it before) her stomach was never so well pleased, but with what this her elder daughter did provide.

And now, be it referred to the judgment of any person, whether it were not a great alayment of the comforts of a Married condition, and a great disturbance to his Family, and a great disadvantage to his affairs, for a man, to have his wife almost continually from home: And whether almost any persons, who were not in absolute extremity of want, would upon the Account of almost any worldly gain, submit to such inconveniences? And whether then, consequently, it did not lay a great obligation upon the widow *Atye* towards her elder daughters Husband, who was willing to permit all this, and towards his own Mother also, who upon no account of necessity (but

For she hath a competent estate left her (for life) whereby she may maintain her self with comfort and credit; and alwayes hath been and is very helpfull and affectionate towards her son and his wife.

meerly out of the goodness of her nature) did become, (as it were) a slave unto the affaires of her sons family, for the sake of her sons wife and mother; to whom she was further ready to shew all civill respect, upon the account of old acquaintance, which had been between them.

But we must look back again, to the time of the elder daughters marriage; and take notice, that shortly after, her husband came to understand (for before as he had no evident reason to suspect, so he thought it not handsome to be very inquisitive) in what predicament 3ool. of his wifes estate was; and this brings to minde againe, our good friend Mr. *Eostock*, who pittifully endeavoured a faire Apology for himself; but a little consideration, and further enquiry upon this occasion, rendred him too well known to be well thought off: Much endeavour was used by Mr. *Andrews* (by way of advice) with divers able persons, and application also, to some friends and acquaintance

rance of the party, to whom it was put out. But by all he could doe, he could not get the least encouragement, to hope that ever he should regain any thing of that 300l. And yet (for all this) he was never the man, that once expostulated the matter with his wives mother, or once mentioned it unto her; untill she first took notice of it to him (which indeed he rather desired and expected in silence as the most probable way to work her into some proportionable resentment of her daughters losse) and at length (after some persons had spoken of it to her) she did take notice of it to her daughters Husband, but with such indifferency and coldnesse of affection, as if it had no more concerned her then the losse of a Turkish Gallion; nay at another time, without all provocation whatsoever given (unlesse some words were counted so, which tended to the blame of Mr. *Bostock*, whereto she gave the occasion.) This woman had the goodnesse to answer him, it was no matter, for there was too much beside; and she cared not if all were lost, and as much she said to other persons at other times.

And now tis hard to say, whether Mr. *Andrews* had more cause to be troubled at this losse? or wonder at the strangenesse of his wives mothers carriage: but somewhat to abate the latter, it came to minde, that pale faced envy had sometime before now began to shew its visage from under the shrunk and scanty mask of dissimulation, and had discovered some footsteps of enmity in the way it had taken, to set the affection of the mother at yet a greater distance from her elder daughter and her husband, and this device was put into practice by the younger couple, without all reason or cause imaginable, unlesse it were an envious memory and reflection upon the equall right of their sister and her husband, in those goods of their Mothers, which themselves had all in their desire, and partly

But without the least assistance of Mr. *Bostock*, who behaved himself as a person unconcerned in the matter and in a dream, never doing or saying any thing (though urged) by way of direction or advise, but onely once (and that worse than nothing) for he advised Mr. *Andrews* his application to a person, who had seized and extended the estate of the said *Halion*, whereby he perceived his Interest should have been betrayed to a pittifull and most inconsiderable composition.

*cui nil fa-
tis nil turpe.*

ly in their possession, which I presume made them as sensible of parting with any of them, as if the time had been present, wherein they were actually to be divided; and looking upon all as lost, which they should not snatch to themselves, it seems they resolved upon it, by hook and crook, as our Proverb is: Indeed the elder sisters Husband, from the first time of his return and marrying, had perceived a strong jealousy in them both, by several circumstances, which gave him too much reason to quicken his caution against them, wherein yet he was not very careful, as being willing to entertain a better belief, till their intent began more and more clearly to manifest it self; And though he hath not the least reason in the world to believe him a person able to reach far in a designe, or that ever he was guilty of the least rule in Politicks; yet considering that there is a naturall Ingenie in our depraved passions, which oftentimes an exigency sets on work, without the help of consideration; It may not be a wonder to see any person stumble upon a *Machivillian* method, as if he had imbibed his very principles, and been brought up his disciples: The first alarm he received, was by several reports and speeches which the younger sisters Husband had scattered concerning him, brought again to him by the same persons, unto whom he had told them. They were *Thra-sonica dicta*, matters tending to his own credit and magnifying of his good fortune, and the others disparagement, such as never entered into the elder sisters Husbands thoughts, and indeed such silly things as he thought unworthy his notice; and therefore was willing to passe them by, and did with divers afterward of like nature, untill at last, they took an occasion both of them to appeare open faced against him and his wife. It would but waste paper, and render this relation too tedious, to recount each particular of the occasions, and their carriage thereupon, what reports were made and brought to their mothers ear (for she could not go out to fetch any) and what foolish things, God knows, whereby they did industriously labour to undervalue and disparage the credit of the elder

elder sisters Husband : He is confident themselves, cannot forget them, and in particular, what an uncivill taste, for her part, she took occasion to give him, by her tongue, of her imperious, malicious and arrogant spirit, which though very high, and baptized by her self, an *Atyes* spirit, he must needs call a naughty spirit, and declare it below his anger, as but the manifestation of an effeminate and petulant weaknesse.

When they met by chance at the Tower-hill.

And to the same account, he is willing to refer much of their Mothers carriage, though they, on all hands, are more to be blamed for filling her with lying and frivolous reports and evill suggestions. Twas they, who made up the wilde fire, and filled her with it, knowing well enough, she would be sure to fling it about, as she did too and by all, who came to visite her (for she was not in a condition to visit any body her self) and twas a good piece of policy to make her the Instrument of their Battery, to throw down the credit of the elder sisters Husband, whilst they might the better shroud themselves behinde the Curtain; and so hot had they made their engine (like a piece, which had been, for a good space together, continually charging and discharging) that they could hardly, sometimes touch her themselves, without burning their fingers: But twas the elder daughters Husband, who was placed in the shock of her fury, discharged not onely against his credit, but also upon his person at such time, when he least expected it, comming to see her, during his wives lying in: (For such were the gratulations she gave him, upon the birth of their Childe, so little sence had she of their Interest, or of the style of a Grand-mother, which till now, she had not obtained:) Thus as she gave her daughter before her lying down, what was worth little or nothing, (for had she kept it back, it would never have been missed) being meaner than might have been expected from a friend, and not worth the mention; but for that very reason, because it was not worth the mention)

And to shew themselves right gossipers, they spared not their sisters lying in, but endeavoured to disparage the manner of it by a false report, though but of a frivolous circumstance.

So now she gives her Husband, what was worse than nothing, viz. ill language, to which his replies were not in the

Two dosen of Clouts and two suits all old & some hardly useable.

To be mentioned to her discredit,

the least uncivill, but very short ; and so was his stay with her after, departing with a resolution, not to return to see her again in hast, unlesse upon better terms ; notwithstanding he was content her daughter should (when up again) continue her old trade of waiting upon her daily, which she also did ; so willing and ready was she to expresse her Duty and Affection, in her mothers need, though to the exceeding trouble of her person, and the no lesse trouble and disadvantage of her household ; So unreasonable and imperious also was her mother, to expect and require it, and yet so ungratefully backward to endeavour to requite it : And that she might never be more forward in that point of Justice, it must be confest, the younger daughter and her Husband had playd their parts, what was possible, and fearing that their sisters now having a Childe might prove a new and forceable argument to constrain their Mothers affection towards her ; and reinforce the remembrance of her dutifulnesse, and her great losse by her Mothers means : They make up the way against them all, improving the great advantage they had in their Mothers much stronger affection towards her younger daughter, and in the opportunity of her continuall presence with them, by joyning to these their own importunity and sollicitation also of such instruments as they could engage for that purpose, to urge their Mother, to make a Will, but a most unjust one ; verily supposing, that being once done, it would never be retracted, and the doore would not onely be shut, but bolted also against their sister. And to accomplish this designe, it were a wonder if honest Mr. Bostock, had not been made use of (for in him they also had a great Interest) *Et ille huic negotio, non interfuit modo sed etiam præsuit* : by him her Will is advised and drawn up, wherein she gives all she had in this World, to her younger daughter, and onely some small matter to the elder, to cut her off from further claim. And now if any ask what made this man so good a friend to the elder sister ? Tis easie to answer, but ingratefull to consider ; For he had courteously lost her 300l. before,

He had
done enough
for her before.

before, now the sence of this Injury he rationally supposeth must make her none of his freind, and so looking upon her under another Notion, he affords her such affection as properly respects an enemy, and on that account endeavourd her all the mischeif he could: according to this rule, we may also conclude there was no reall love in the other two towards their elder Sister. And indeed henceforth they made little Pretence of any, but their sister, who was ever desirous of and ready to promote amity, (considering also that her husband had now for a good while refrained ~~her~~ from visiting her mother, she contrives a way with her self how to bring all parties together, (and let her have the due praise of her own good disposition, for her husband must profess he was then ignorant that it was her designe) she sends a joynt of meat to their house in her husbands name, with this message, that they both would come and sup with them, but pretends to her husband an invitation from them, which indeed he had more reason to expect; and so went with her, where (to speak truth) he found her mother at that time very courteous in expression, and seeming to desire amity between them all, and that what was past might be forgotten, but such strange behaviour from them two, as (should I be so tedious to relate it) would, in the Judgment of any reasonable and impartiall person, amount to a great affront and the giving of just cause to confirme an enmity even upon that occasion which was well intended to procure a mutuall accord and freindship. But the elder sisters husband saw, it was easier to passe it by; then stir the fire of contention by expressing his sence of it. And now, had these people been but half so discreet and cunning as they were malicious: That unjust Will of their Mothers (a little before mentioned) which they did procure to be made might have slept, till she her self had fallen into her long sleep, but they were so forward as to triumph before victory, & ere they were sure of the prize, they blow the Trumpet by bragging abroad of their Mothers, Will whereby aid they she hath given them almost all, and but little

I suppose it
was he.

unto her other daughter. This coming to the elder daughters husbands ear, by a freind (at second hand from a person to whom one of themselves had told it) he reports it again to his wife, who being somewhat moved thereat, quickly took occasion to take notice of it to her mother, and expostulate with her about it, but she justifies what she had done, (so far had they transported her) and in great passion replies, *what she had done she had done, and were it to do again she would doe it*; and not without the addition of further unhandsome language also, which must needs be confest an exceeding provocation, to one that had never deserved the least disrespect, yet was it never answered by any ill carriage of her daughter towards her, whose humour she knew well enough; and therefore suppress her passion, and through other divertizements cooled it by degrees, still continuing also her visites to her mother, and pains with her upon occasion; (though for a while she went not daily to her as before) hoping that time would produce better things, as indeed it did, for this inciting her to a review of what she had done, and her own Conscience reflecting upon and condemning that unjust dealing of hers towards her elder daughter; she was troubled in minde, and for a great while (as she confest after) she could have no inward rest, untill she had resolved with her self to Cancell that unjust Will again.

Wherefore watching her opportunity (when no person was present) though she kept her bed for the most part; yet she made a shift to come at the Box where it was lockt up, and taking it out, she immediately burnt it (yet not without feare all the while to be taken in the Act; such was her respect to her younger daughter, whom she knew it would displease) But after this sacrifice performed to her unquiet conscience, it is easier to imagine then express what a calm ensued in her minde, what peace she enjoyed, and what Joy she conceived from the performance of this one action; And so full was she of this joy, that it run over again in many severall and often expressions unto divers

vers of her freinds & acquaintance who came to visit her, and that with a kinde of exultation in the repeating of it, thanking God who put it into her heart to *revoke that unjust and wicked will*, as she often called it; *Saying also, she would never do the like again, and that she hoped no one should hereafter be able to perswade her to such injustice.*

These were her own voluntary expressions, not extorted from her by the indeavours of any others, yea repeated often, when not the least occasion was given her to mention any such things. She recounts also to her elder daughter what she had done, but kept it longer from the knowledge of her younger daughter and her husband; but at length she takes an opportunity to tell them of it: And now about this time also she declares before good sufficient Witness, That her Will is, *Her two Daughters shall equally share in whatsoever she shall at her death leave behinde her, both Bonds, Money, Plate, Apparrell and other goods and household stuff; and with that exactnesse, that if it happen, there be but a green Apron or the like being odd, Her Will is it shall be divided between them, or else which of them shall take it shall return half the value to the other Sister:* And of this her Nuncupative Will, she appoints an old acquaintance of hers then present to be Over-seer; *charging her as she would answer it before Almighty God, at the last dreadfull Judgement, (for such was her own voluntary expression) that she would see this her Will inviolably kept, and faithfully performed between her two daughters, saying, further, It was the last Will she would ever make, and it should remain unalterable.*

I think there is no Lawyer, but will say here was a Will firm enough in Law, and I am sure, if reason would have satisfied them, this was sufficient to have contented the younger sister and her husband, but they aimed at other things; and it was a great cooling Card, put into their hands, in the midst of all their confidence, to carry the Game, to understand that the former Will was cancelled, and this other ordained; and it may easily be imagined, how they relisht this unexpected news; yet they were

carefull least they might presently expresse any outward trouble, or passionate dislike at the undoing of that which their Mother had freely acknowledged was unjustly done; and though they pretended the contrary, yet could they not hide their discontent, even then, from such as did seriously observe, and had a judgement that could penetrate. But *manet alta mente repositum*, they were inwardly even mad again, that what with great industry and long endeavour, they had brought to be effected, should now in an instant be made void again and of none effect I say, they were inwardly mad at it, and yet not I that say it neither, it was their Mothers own expression concerning, them and I hope no impartiall person will judge me blame-worthy, for but reporting it from her own mouth, who had the most opportunity to finde it by experience, and the greater reason to be sensible of it. And thus time having (by this occasion, brought the affection of the younger Daughter and her husband toward their Mother, unto the test; discovered it to be of base allay, a thing built more upon the hope of gain, then the consideration, and sence of that neer relation between them; For from this time, their respects towards her began to flagg, and they carry themselves less pleasing than before, and less carefull to do any thing which might give her content: discontents arise between them frequently and increase more and more: Indeed, that the Mother was ever peevish, is true; but that the great blame belongs to them is as true: And if it must be granted that effects bear a proportion, not so much with the force of their occasion, as the disposition of the Subject, on which it worketh (which is ever the principall Cause) it cannot be denied, that they were possess'd with much stomack and prejudice against their Mother (and doubtlesse, upon the fore-mentioned ground) when small and frivolous matters were made the occasions of very great discontent and debate between them.

Seldome came the elder daughter to visit her Mother
and

(and that was not seldome) but she found an unquiet house, such stormes of passion, such heat of contradiction between them that she was more than weary of coming to see them. Most of her time (when there) was often taken up with hearing complaints, which were with such passion delivered to her, by her Mother, often with tears; that it (not seldome) constrained her own to mix with them; and more then my self I am sure can witnesse, that she could not sometimes tell of them at home with dry eyes, so little did she take pleasure in, or seek advantage by their contentions; and to manifest this further, she interposeth herself what she could, with perswasions and intreats to her Mother, in the behalf of her sister, and with her advice on the other side to them, to carry themselves with more duty and discretion towards her mother, notwithstanding though these heats were sometimes alayed, and seemed to be altogether laid aside: they were often soon revived again and reasumed with the greater bitterness: at last the Mother growes altogether impatient of induring them any longer, she had often told them formerly in their discontents, that she would remove from their house, and had spoken to her elderdaughter about it as they knew, and to the elder daughters husband also; though he never took much notice of it, And indeed the other two, looked upon a remove as an impossible thing; for the truth is, she was afflicted with a sore disease, and unable to remove her self out of her bed, which made them the more bold with her: But now anger at last makes her resolve to leave them and remove; and her resolution represents it as a thing not very difficult to be performed: Wherefore she now again reneweth her former solicitation of her daughter, to hearken out a lodging somewhere neare her own dwelling; telling her again of her sisters cross carriage towards her, and with tears protests she is not able, nor will she suffer it longer, for that it, together with the pain she felt,

*Cupienti nil
difficile.*

Which further shews clearly that her elder daughter and her husband had never previously invited her to them, nor yet were at all forward had

to take occasion before, upon the expression of her desire to remove) of proffering her any accommodation in their house, whereby to encourage her in that disposition, but they did rather at last yeild upon her importunity for getting a new lodging) to receive her to them, least also she might take it ill and say they did disrespect and refuse her, (For indeed she had often cast the like charge in her elder daughters dish (as we say) upon occasion of some words which were (it seems) spoken long before, (when she had no house to receive her in) and made it her chief apologic for not comming to live with her elder daughter at first when she was Married.

had almost driven her besides herself; and further tells her, that she hath often thoughts of violence to her self, instancing two times wherein her minde was dangerously fixt upon it.

These I confesse are sad circumstances, and may perhaps scarce escape the suspicion of being forged, and pretended out of malice; and truly for

that reason I had omitted them here, as also out of some respect to the party herself, but that the necessity of clearing the integrity of the elder daughter, (to which they strongly serve, urgeth me to the mention of them, as also for that the Mother did expresse as much to some other persons, beside her elder daughter, who cannot, nor will deny them to be true.

She further tels her daughter, if she be left there much longer, she knows not how far such temptations may prevail upon her: And what saith she, if I were with you? would not your Husband and Mother in law

Further the elder daughters husband doth confesse he had no desire at all she should remove unto his house, and but one argument which did dispose him to be willing thereunto, and that was this, when a trouble and inconvenience is not to be avoided, 'tis better to have it within doors and under his own roof then to go abroad to seek it, which his wife had done long enough.

take it ill, and think me too troublesome? I would heartily be content to have my lodging in your Garret, so you will but receive me: However she charges her by all the duty she oweth her, and as she ever desired to have her enjoy a quiet minde, that she will without delay get her removed from thence.

And what could be said more? these speeches her elder daughter could not hear without grief, nor neglect them without fear of the consequence; wherefore after she had endeavoured yet to perswade and pacifie her Mother, and finding her to persist still in the same complaint and resolution, and that she did again charge her upon her

her duty and affection to perform her minde, which she did *October* the 13. 1659. when she came to see her, she could no lesse then be willing to receive her who had so fully cast herself upon her; and so on the said 12. of *October*, when she had caused her self to be brought down one pair of stairs from her Chamber, and would by no means yield to be carried up again, or stay there any longer; (a Coach being sent for, she is conveyed with her bed and goods in her Chamber after unto her elder daughters house, where she was readily

and lovingly received (though till they saw her, neither her Husbands Mother, nor any other person knew the least of her coming) she was lodged in her daughters Chamber, a better room than she was brought from, and but one paire of staires, her daughter willingly leaving it for her Mothers accommodation, and submitting to extraordinary trouble in the removing goods upon this occasion, and setting up a Bed in another room for her self.

And for the elder daughters husband he was all that day abroad till towards evening, when coming home, and being told his wife had been most part of that day with her mother, after he had been upon some other occasion he called that way, thinking to fetch her, but being answered she was gone, he was going up stairs (as he used) to see her mother, whereat the maid called him back telling him, she was carried to his house, which was the greatest news to him he had heard of that day, though he had seen some Transactions of general, and far greater consequence performed not many howers before.

Beside, he and his wife were faine to lay their bed for themselves upon the ground in another room that night, by reason of the great trouble of her mothers remove and their want of time, which they would not have done had they known before of her coming.

But to proceed towards an end of this relation, wherein I would endeavour to be short, for the time of her life from this remove was not long, though full of trouble, and including another remove afterwards.

One would have thought the widow *Aye* now where she would be; and considering how well pleased, she seemed to be, would not have entertained the least doubt of her continuance there so long as life should continue in her, all occasions of discontent were now removed, and what was or could be imagined conducive to her content endeavoured. So that she had ^{more} peace of minde, lesse pain

of

*but one bad night
in a fortnight*

of body, longer intervals of ease, enjoying for the most part comfortable nights, which before, with *Job* had been the most tedious and uncomfortable part of her time. And these intermediary refreshments, with her observation of the officious tenderneſſe of thoſe about her, to do her any pleaſure, did exceedingly alter her behaviour, and brought her to a voluntary proteſtation, which ſhe did oftentimes both to her Daughter and her Husband, and other friends preſent; that ſhe would never be removed again while ſhe lived; nor conſent to leave the houſe, though her Daughters Husband ſhould thruſt her out of doores. So that comparing her with her ſelf, ſhe was not the ſame perſon which ſome time before ſhe ſeemed to be in *Silver-ſtreet*. And well it is, and not without a ſpeciall good providence of God (leaſt what is here ſet down might ſeem onely pretended to ſave credit; that during about a moneth of five weeks (which ſhe ſtayed, for it was no longer) ſhe was ſo highly ſenſible of thoſe reſpect; ſhewed her, and the benefits ſhe enjoyed. That freely, voluntarily and ſpontaneously, ſhe makes a profeſſion and acknowledgement of them, almoſt to every perſon that came to viſit her; and there are ſome whom her elder daughter hath no cauſe to think friends to her and her Husband, that I believe dare not deny this to be a truth: ſure I am, there are more than enough beſides, that will witneſſe her report & confeſſion of the benefit ſhe received, of the extraordinary care and tenderneſſe of her daughter; of the great obligations ſhe and her Husband and his Mother had laid upon her; that ſhe had (excepting her perfect health) what ſhe deſired, and more then ſhe expected from all in the houſe.

She told a freind of hers alſo who came to ſee her in her elder daughters houſe, and is ready to reſtify it; That ſhe came away from her other daughters, becauſe of their untowardneſſe to her and for that her minde was much troubled through the ſence of that wrong ſhe had done to her elder daughter when ſhe made her former and unjuſt Will.

Nor is it amiſſe to remember here what ſhe once ſaid in her extremity being ſuddainly taken with a ſick ſhivering ſitt, and ſeeing how tenderly her daughter and her huſband and his mother did reſent her condition, and how ready they were to her help and comfort, which it pleaſed God ſpeedily

ly to give her by their means: *Oh, said she I should have none of all this done for me in Silver-street, and what would become of me, were I now there again?* And the more also, for that as she acknowledged her el-

der daughter had had a great losse, which, she said, she was bound to consider.

She was afflicted with a disease, uncurable by any care, and admitting of no indeavours but what in a palliative way tended chiefly to the mitigation of pain, wherefore she was received into her elder daughters house, as a person not coming to live but to die there; and she her self would divers times repeat, that her next remove must be in to her grave; indeed that is the house appointed for all the living, and profitable it is for them to lay it at heart at all times; but especially necessary to be thought upon when pain and sickness, do as it were, serve us with a summons from approaching death, and that she might do this with the greater comfort and Christian resolution, her daughters husband requested an antient and reverend

Mr White

Divine of his acquaintance to visit her: For besides, sickness had now kept her from Church above a year, and yet during all that time, no Minister had been with her. Though certainly it had been much fitter and better, for her comfort and support in that condition, then the trouble of impertinent and frivolous matters, *

with the report of which she was used to have her eares almost continually filled, to her very great disturbance and disadvantage. This Gentleman above meant, [whose great civility and Christian charity very justly claims (here) a gratefull acknowledgement, for he refused all other recompence] was pleased to come sometimes to discourse and pray with her, and will bear witness that he was brought upon no other design, nor had the least hint given him of any former passage, or discontent, but the Widow Atye of her self repeats unto him, how she had been troubled in mind for that she had

Which thing she very much complained of against her younger daughters husband, whom, (without injury to his disposition,) I may justly name *Faustianus Stanchwait*, a meer *Thraso* [in Terence] onely he was never a Captain, and I believe never will be, yet his tongue alwayes keeps the van, and is so forward in babling, that it seldom stays for sense or truth: This is one that hath the boldness to bolt out *quicquid in pectum venerit*, and will venture to talk even what himself understands not, especially if he have none but semine auditors. I could give him a larger character, though I would never have said that much of him, did not his own demerit, and my too great and just provocation from his behaviour force me.

done her elder daughter wrong by making an unjust Will, but I thank God, said she, I have cancelled it, and hope never to be again in the power of those persons, who were Causers of it, *she also acknowledged to him the effect of what is said before, of that care and respect afford'd her now in her elder daughters house, and how greatly she was comforted and pleased by it.*

And doubtlesse she had continued so pleased to the period of her life, had others been pleased she should so. But her content was the great discontent of her younger daughter and her husband, who perceiving it, together with her leaving their house, to reflect somewhat upon their credit, & being never pleased since the frustration of their last plot by her burning of that Will, before mentioned, considering also they could have no opportunity to prevail upon her in the like design, now she was under another roof. This wrought their passion up to the very madness of envy, nor did it spare to discover it self in their very looks and gesture towards their sister & her husband. Though towards their Mother it gave way to a smother dissimulation, shrouding it self under the vizard of repentance, which now they act with what art they could, acknowledging and professing their sorrow for former faults; but desiring her pardon for what was past, and passionately imploring her return to their house, not without large protests and promises of what they would do for her were she with them again. These things were repeated by them almost as often as their visits, and with that confidence also, that sometimes the presence of their sister did not interrupt them, not even in the begging of her return to their house, *the younger daughter adding, that she had never enjoyed her self since her mothers departure, that it was a grief to her (when abroad) to come home, that she could not abide to see the chamber which her mother had left, but kept the door lockt ever since, that she was even overcome with melancholly when within her own doores, and was weary of her house, because it wanted her mothers presence, with many more such like expressions.*

Though formerly he had told her he could do nothing to help her, and he would do no more then he had done.

expressions. Nor is it to be doubted, but if so much was said in her sisters hearing, much more was repeated in her absence, and no endeavour omitted to bring her out of conceit with her present being, and incline her to returne to them : And indeed they had opportunity enough for speaking to their mother, when they visited her, being oft times one or other of them, and sometimes both left alone with her for some houres together.

Which I must confesse common policy would have forbidden; but those who are innocent of any ill designe themselves use not to be vigilant over others, though upon just grounds to be suspected: Nay though they know them to be enemies, yet are they alwayes more willing to believe, that the fairenesse of their own carriage will take off the edge of their malicious devices, then they are carefull to meet their designs by any counter policy.' And this gave them much advantage; yet did they not so easily prevail, as without dispute on both sides; for their mother made use of so much reason, as to reply, that she was not in a condition to be removed; they answer by instancing how well she was after her remove from them, where she was now, and thence infer, that another remove will rather do her good. To this kinde of reasoning her elder sister being by, replies, That it would for her part be little good to her, though, to be put to all this trouble by her mothers first remove to her; and then to have her remove again from her shortly after, in the notice also of all her neighbours: To which she answered, that her mother went but to her own daughter, from whence she came before: The mother further said, she came thither by no designe of their sisters, nor could it be, for saith she, what hath she got by it? She hath onely brought a trouble upon her self and family: But as no replies, though with never so much reason, could abate their earnest desire to have their mother

Nor was it so when their mother was in their house, for as if it had been her prison and themselves her Jaylor, neither the other daughter, nor her husband, nor any other who they suspected to favour them could ever visite their mother, but one of them would be continually present in the room all the while they staid (unlesse by chance they were both abroad when they came.)

back again ; so neither could any thing stop their endeavour alwayes to promote that designe, and insinuate to their mother, what a wonderfull affection they had now for her, and what a care they would have for the future:

Once they sent their maid about eleven a clock

Whether was not this at night, to watch with their mother, & this without the least knowledge or desire of her? either done on purpose to disturb their sisters house, and give expressed or implied, that they should doe so, or distaste that they might the least notice given by them to their sister, finde an occasion against her? (though they were there till night) that they

would doe so; or the least necessity requiring it,

(for their sisters maid alwayes lay in a trundle bed, which run under their mothers bed-side, which was as ready as if she had watcht every night; beside, their mother was now indifferent well, and at the time of their maids coming fast asleep, so that though some noise was made on the staires and also in the Chamber, yet she awoke not; and therefore the maid was denyed to stay, & sent back again, and them other knew of no such thing till shew as told the next day: nor is doubted, that her younger daughter told it her with all the advantage she could devise, repeating their importunity for their mothers return unto them: and no wonder they should at length move her, whose minde was never fixt upon any certain and firm basis. But now the more they perceive her to encline, the stronger they draw her on by themselves and their instruments, and knowing well enough, what advantage of interest they had in her affections, resolve *per fas aut nefas* to gain her, and indeed accordingly they make up the last part of their enterprize with a piece of Impudency. For my part I can call it no otherwise, yet submit to any reasonable and impartial judgment, upon a true relation of the circumstances, if it shall seem too harsh a term; I shall set them down as they were, yet taking the liberty, to make some annotations of my own, for the better apprehension of truth.

On the eighth of *November*, the elder sisters Husband invited divers friends to dinner, among whom the younger sister and her husband were two of his guests: Upon this

this they take occasion to invite themselves the next day, to the reverſion of a Veniſon Paſtie, but in their mothers

Chamber, where they bring with them one whom (he told his wives mother) was his Factor, and now going beyond ſeas upon his account: M. *Jacchianus Stanthwait* was ſuddenly become a great Merchant. That night they leave a Pig with their Mother, and invite themſelves for the next day alſo, but ſtill no where, but into their Mothers Chamber; and there they bring the ſame perſon again, and another alſo, with whom he pretends dealing: Two dayes being thus paſt, the third day they viſit her themſelves alone, and ſpend moſt of it in her Chamber; but it is eſpecially to be noted, that from the firſt day their Mother began to grow very peeviſh toward her elder daughter, but more pleaſant toward them, and was now become worſe and worſe, even to the ſeeking occaſion of anger againſt her, which ſhe did by ſeveral ſpeeches too much repeat; and further, from that day, (by which I mean Wednesday, *November 9.*) ſhe reſuſed the uſe and application of ſome things which her elder daughters husband uſed to perform, to her benefit. So that when ſhe was carried away from his houſe, beſides other aggravations, her back was much galled with lying, and for want of uſing means to prevent it, and all this the effect onely of her own peeviſhneſſe: And to ſet her more forward

These particulars are not mentioned by way of upbrading, for it is confeſt ſuch carriage where ſeaſonable, & joyned with ſincerity of affection, ſhews a commendable and an affectionate familiarity, and a friendly acceptable confidence: which was never diſtaſtful to any generous and truly ingenious nature, but juſtly by all to be abhorred where it is done upon baſe deſigne, I would have any reaſonable impartial perſon ſay whether it were any way convenient (not to mention the houſhold occaſions which were very extraordinary that week, and needed no addition of further trouble, but for a ſick perſon neere dying and impoſſible in reaſon to be recovered, to have her chamber troubled with the entertainment of ſtrangers ſhe never ſaw before, and her ears filled with their impertinent diſcourſe, for which other things were more fit, and whether it is not more then probable that the younger ſiſters husband being indebted or about to be indebted to theſe perſons, therefore brought them to his wives mother that it might ſtrengthen his credit with them, to ſee one bedried and not likely to continue long before ſhe left the world, and conſequently him a good ſumme which never doubt but he bragg'd of with advantage, and ſure a further end he had was this; viz. To inſinuate hereby into his wives mother a good and high conceit of his induſtry and great Interreſt, that therefore ſhe might the more eſteem him and do the more for him.

ward in that humour (the fourth day which was Saturday) we have a new Accident (if it were so)

There was a little Purse with foure shillings and a little Key in it, which belonged to a Case of drawers that stood in her Chamber, wherein she kept money for ordinary expences : This purse with the key and mony in it was missing out of her pocket, where it was alwaies kept lying on her bed; and although it was used but the Evening before and put there again, and no body had been with her since, in the Chamber, but her elder daughter and her maid, and the younger daughter and her husband; yet all the inquisition and search about the room that could be made for it, could never recover it again. This day her youngest daughter had spent most part of it with her, and at her departure at night with her husband, she takes occasion from discourse of this losse (and out of wonderfull care for her mother doubtless) to profer her maid to be with her all night; & then no body else will serve her mothers turn to be with her in her chamber, which gave the elder daughter no smal inconvenience to lodge her own maid elsewhere at so late warning.

The next morning which was Sunday, her elder daughters husband comming to give her the good morrow, and know how she did; she told him, she would be no more watcht with, for saith she, it is but a trouble to others, and rather a disturbance than any benefit to my self; but it is much better when your maid lyeth at my bed side. About one a clock her other daughter with her husband came to her, whose purpose being to stay, the elder sister went to Church, leaving them together; and when she returned, a while after, she was called to repetition; but of no Sermon you may be sure (though the others had been conferring notes together a great while) indeed the mother had bin in no pleasing humor for four daies together, and now the thought of yesterdaies misfortune, which the Comment her younger daughter had made upon it, had enflamed her passion; and also put her out of conceit with
the

the house (for it seems her anger was cheap, and she could afford much for a little money :) Occasion was taken to run a long division upon many heads and particulars ; much passion and discontent was expressed amongst them, and 'tis the poor elder sister that must abide the fury of the storm , and though under her own roof , yet had she no way to avoid this strife of tongues , nor shelter to defend her self against the taunts and ill language of three against one, but her own innocency, and as much patience as she could possibly keep together, and where that was too short, 'twas pieced out with many teares as words : Indeed, there was another person also present, a sister of Mrs. Ayes, but she was so troubled in her self to see such division, and so high were they against the elder sister, that she could not perform the part of a Moderator : But the night gives truce on all sides, and the stream of their *Βαρροχοννομαχία* runs at last into this Conclusion, which the Mother positively declares before her said sister, That, * if it pleased God (which was her phrase) she would remove from thence to her younger daughters house again, on the Thursday following: so soon had she forgot her sufferings from their former kindnesses lately in their house, and the complaints she had so justly made against them ; and so easily were those full respects and real benefits she received in her elder daughters house swallowed up by that lean and empty conceit of its being unluckie , because of the losse of her purse and key : but this was the mark they aimed at, which having hit, it was enough for that time ; wherefore they were content to go away , and sure it was time, being after eight a clock on Sunday night.

The Mother
with the younger daughter,
and her husband, against
the elder sister.

Is it not much
to be doubted?

But Monday comes, and they return again to spend their day, not without another part to the same tune as before, being all against the elder sister, but agreeing so well amongst themselves , that the night could not part them ; and therefore they resolve to stay both of them, and take up their lodging upon the trundle-bed ; yet not so much out of love to their mother, as out of stomach towards their sister,

Twas late before their sister knew they would stay (for once they were taking their leave to be gone) and this put her between 11. and 12. at night, to remove a bed from above (where the windows were taken down because of drying) down into another room for the maid, for the Saturday before when she was dispossessed by their maid her husbands mother was pleased to accept her into her bed, to avoid further trouble that night, not thinking the like would be again.

sister, which was so great, that they would not so much as accept of sheets or pillows, though she was so civil as to bring them when she saw they would stay there. From this time, they keep possession of their mothers room, by themselves or their maid, both night and day, untill the time they took her, and what she had there, into their own possessions at home, which was the *Thursday* following. And I doubt not, that upon their Mothers foresaid promise to return to them, they took up this resolution to do so, that she might not be less than her word: So that the account stands thus: *Wednesday, Thursday, Friday and Saturday*, the 9, 10, 11, and 12. of *October*, one or both of them were with her the most part of the day, *Saturday* night till *Sunday* morning their maid, *Sunday* themselves till past eight a clock at night, *Monday* and *Monday* night both of them staid with her, *Tuesday* and *Tuesday* night, and *Wednesday* untill between

* And then her husband called and took her home (it seems in his return from *Graves-end*, where he said he had been.)

* twelve and one at night, the younger daughter alone continuing in her clothes for two nights together, and a good part of the third night, and then they left their maid till they came themselves on *Thursday* to fetch her away, which business they dispatcht in the Evening.

Now if it be asked, where was the elder sisters husband all this while? I answer, He was too near to be ignorant of what had passed, and as he knew more then any reasonable creature could know, and not be very sensible of; so he knew more then was fit she should let his passion loose upon: and therefore though, during the last week of his wives mothers stay, he seldome came home, but he found his wife in teares; and sometimes he happened to be an ear-witness of those abuses she received in language, from her younger sister, and her husband, and her mother (for the Chamber was neither at so great distance, nor did they alwayes speak so softly) which much moved his passion, yet

yet policy at least forced him to keep out of their presence at such times, least their intollerable provocations might move him to say or doe more then would become him, or had he taken notice to them, though never so calmly, that was it they looked for and desired, and that which they would have grounded upon as reason of her departure from his house: For to this day, she never had the confidence (though she had resolved to be gone) to tell her elder daughters husband of it, sure, because she could not tell a good reason why, nor is it unworthy notice how pitifully she was puzzled to satisfie others whom she thought would expect a reason, saying sometimes when no body asked.

Yet would he come now and then to ask her how she did, and if she would have any thing done for her.

1. That she thought at first of all to stay but for a Month.

2. That there was too much noyse in the back Court by boyes.

3. That there were too many women in the house.

4. That she had brought too much trouble upon her daughter, and she was greived to see her take so much paines about her: she might better have said she would, because she would, for that had been true; (*sic volo, sic jubeo, stat pro ratione voluntas*, besides, these were so farr from reasons, or being sufficient to justifie her resolution, that all of them together amount not to so much as an excuse; and if allowed, yet reflect nothing upon the elder daughter nor her husband: And to answer further, the elder daughters husband did at last take notice, that she had resolved to be gone, but 'twas not till about the instant of her departure, and then he took occasion to expresse his mind

1. But had she said as much, she should never have been received; besides had her intent bin so, why was all that trouble of removing so many of her goods? and why then did she say and protest also voluntarily (being never asked or desired) that she would never remove again, though they would thrust her out of doors?

2. And yet sometimes she would say it was a recreation to her to hear them playing, but they never used to make much noise, and if they had, they might have been shut out easily.

3. There was onely her daughter, her husbands mother, & the maid, and one more who had a chamber there, but was constantly half the week out of town, but yet the more womenkind the more, and the fitter help for her, who was a woman her self, and could not but confess that they all shewed her a civill respect.

4. If so much were the trouble when she was in her elder daughters house, surely it was as much and more when she went abroad to her sisters house and did it there. 'Tis better to have it within doors then go abroad to seek it.

to her, and askt her a reason why she left his house; and further askt her to declare, whether he had ever by himself or any other for him, invited her to him from her younger daughter, and this in the presence of an antient Gentleman, the Minister before mentioned, who did use to visit her; but she neither would nor could answer any thing, onely this she said, she would say nothing, nor have any fending nor proving, as that Gentleman and others

* I presume this will be sufficient to all ingenious and impartial persons to clear what ever calumny or falshood may or can be indeavoured to be fastened on the carriage of the Elder Daughters Husband, concerning the Widdow *Atyes* remove from her younger daughters.

will witness: *So the said minister finding no opportunity to do any good in such a confusion (as was at that present) left her, and went his way.

If any person shall yet repeat the question, What did the elder daughters husband all this while? I will answer it with another, viz. What

should he have done? For had he forbid (or else forced) the younger daughter and her husband from his house; though it had been no more than they had deserved; yet it had given them too much advantage, and been more than could have easily been defended from an ugly representation by their report of it abroad to his discredit; and letting them alone, it could not be worse then it would certainly have been had he done otherwise: For the widdow *Atyes* affection having been alwayes more bent upon the younger daughter, it would have exasperated her passion the more against the elder, & caused her the rather to doe what she did? So that it was a thing inevitable by either force or policy.

And now if their prevailing with her to leave her elder daughters house had been all, the matter had not been so great; but let us see what follows, how they use this advantage, and for what end they got her away to themselves: Doubtlesse, now they had her again, they * were

* But she may thank her elder daughter for it, out of envy to whom they now study to give her all content.

This she told her elder sister, when afterwards being there to see her mo-

wanting in no kinde of diligence to please her, and fortune is so ready to favour them therein; that all of a sudden, the younger daughters husband findes a Key in the street (if you will

will believe it) which readily opens the Case of Drawers, before spoken of, without further trouble, or putting their mother to the charge of a Smith: All things occur to smoothe the way for them to do what they please: And if honest things would have pleased them, they might have let her alone where she was. They never had the least reason to feare that their mother would do them any wrong by keeping or giving away from them any thing which they might justly with any reason expect (else why did they not feare to provoke her while she was before in their house, since she could have done that in any place but never did, or so much as threaten it) all their feare was least she should do their sister any right, even so much as she might claim by the very law of nature; to wit, an equall share with her younger sister, in what her mother had: More than this, she nor her husband never expected nor spoke of, and with this they would have been content, (for when it was so settled by a Nuncupative Will before good witnesse (as is formerly mentioned) it was with all content on the elder daughters part, and without all distast or objecting the least of her great loss, by her mothers means, or the use of her 400l. which her mother received, for many years without ever giving her the least account. If they had entertained a doubt from any of these particulars, they might for asking have had a Bond to secure them.

But now the former project for a Will is reassumed and perfected, for we have a new impression of it, set to the old tune; and upon the same instruments as before, which (the words of course being repeated, * for *In nomine Domini incipit omne malum*) make it sound according to the tenour following; Item, I give and bequeath unto my daughter Andrews (so great was her affection that she could not forget her) so many pieces of old gold, and such a Diamond Ring; and sure she had a great affection for her daughters childe also; but having but one whom she could call

ther, and seeing her sister open it, she asked her how she first got it open, and whether she had a new key made: But perhaps she had put them to the blush had she but asked further, if the same party who found the key did not also finde the purse and the money, *Hec quam difficile est crimen non prodere vultu,*

let them wipe off the suspicion of his baseness so well as they can, I am sure there is too much reason (for their credit) to fasten it on them, nothing can be more except a plain proof by an eye witnesse or their own confession.

In the name
of God Amen,

* for

*She had some
pieces of old
gold by her,
half of which
she gives to her
elder daughter.

childe, and never more she could not easily remember it ; and therefore deserves to be excused) but let us read on ; Item, I give and bequeath unto my daughter Stanthwait, all my other goods and chattels whatsoever, whether in Money, Plate, Bonds, Debts, Linnen, Apparrel, Bedding, Pewter, Trass, or other household stuff : And least any should after be laid claim to, it is so exact in particulars, as to descend *ad speciem infirmam*, even to the very old Stools and Boxes, all which * she freely gives unto her beloved daughter Stanthwait And that all this is true **WITLESS** Arthur Dove, Thomas Bostock, * And do you think these Gentlemen would lie ; no, not for a world I dare presume ; well ; I will not now dispute the verity of that old tradition, that Doves are without Gall, but henceforth, I may report upon my own experience, that I have found one without Innocency, and shall add this clause to my Letany, *From such ill natured birds good Lord deliver me* ; yes, and from that Serpent Bostock also, by him (I had almost included them both, *sub eodem genere*, and writ him a *Bost Hawk*, for tis a thing that gapes for prey, and kept hood-winked too, by his great master *Nimrod*, to make him the more feirce upon the game ; if *Adam* could have seen this creature, at this distance, in the shape he now appears, it would perhaps have puzzled him to fit him with a name. But let him pass for a Serpent, I am sure he may, though indeed, not for his subtilty, yet for his venom and malignity, wherein he highly resembles one, and justly comes under the same univocall definition, as for the rest tis lesse matter, as being not so essentially necessary : And that old Serpent hath subtilly enough for him and all the world beside ; an expert Artist can make shift with a blunt Instrument better than without any : But let us a little view these two feinds, I should say friends ; here we have a Serpent and a Dove, a goodly couple, such were antiently indeed the Hieroglyphicks of wisdom and innocency, and under that notion, I finde them put together, *Mat 10. 16. Be wise as Serpents and innocent as Doves* : But may we not justly forbid the banes here ; there being *impedimentum quod, ex utraque parte*, and not a dram of any such ingredi-

end

* *Translatio pecuniarum à justis dominis non debet liberalis videri: nihil enim liberale, quod non idem sit justum. Cic.*

* And John Brandritb a youth and Mr. Bostocks Servant a meer Appendix to his Master and therefore tis no wonder to finde him in the same lively.

ent to perfect the composition there directed; though there may be a *quid pro quo* indeed, a substitution of prejudice and malice: but then what can their good *work-
 masters furnish them, whom they have laid this goodly foundation for? Truly nothing but covetousness and envy, untempered mortar all of it; and let them take heed, the superstructure daubed therewith fall not too soon; I am sure it will not hold square with the rule of holy Gospel, how far it may be propt up by humane Law, I cannot yet so well answer.

The younger couple.

And now if these Witnesses, who are more than witnesses, think themselves agrieved, I would not be unwilling to reason with them a little upon the point, nor with any others who have drawn upon themselves any guilt of this unjust Will: And surely, I should leave the best of them all without all excuse; If not, they might leave me without all complaint: But because I hardly expect to speak with any of them face to face, we will a little examine here what may be objected: Wherein I shall perhaps answer more particulars than they would have thought of, to alledge for themselves.

First, then if it be objected, that I seem to beg the question, by taking for granted what I should prove, *viz.* that a Will was perswaded: 2. That an unjust Will was perswaded: 3. That whoever else, those persons in particular, who are mentioned as Witnesses, were the persons who did advise and perswade the Widow Atye to make this unjust Will: I shall unravel this bottome to the beginning, and so far as will satisfy any reasonable person (because I would not seem to charge any one out of malice, or upon any slight ground) give answer. This then I say, must needs be true, if the Widdow Atye made any Will, either she did it absolutely of her own accord, or else by the advice and instigation of some other; but that she did it not of her own accord, first is probable from her own protest and voluntary declaration to the contrary; for she used often to declare, that she would never make a Will formally in writing, but onely leave by word of mouth, what she had between her two daughters; but further it is evident, she made

made no written Will of her own accord, for she confess that she was perswaded to it, and was troubled at it.

And I could repeat some of their Arguments.

For the next particular, That she was perswaded to make an *unjust* Will, that is, that those who perswaded her to make a written Will intended that it should be partial and so unjust (for I presume there is no one will think, I mean they perswaded her to it under the notion of injustice, but rather used some other plausible pretences in behalf of the younger sister) I say, that they intended her Will should be partial and unjust is very probable, for that the inequality and partiality of the Widdow *Atyes* affection towards and between her two daughters, was notoriously known unto all who knew her; and by tradition, I am sure, unto many who knew her not; and was it likely, that she should keep within the compass of equity, in making her Will, whose affections were so strangely and unnaturally byassed: [If it be objected, why not as well in a written Will, as in a Will by word of mouth before witness? I Answer, she had settled a Will by word of mouth already before good witness, which had she gone about to revoke by settling another in the same manner, she must have done it with much more notice; and (had she not therein dealt as well with the elder as the younger daughter) she must also of necessity have shewed her reason for it, which she could never do, being convinced in her own conscience it was unjust. Whereas, a written Will might be made up privately between herself, and her confident *Bostock*, and who else would perswade her to doe unequally without the notice of any body else.] Further yet, 'tis evident, that those who perswaded this Will intended injustice, and that by the Widdow *Atyes* Confession, that she was perswaded to unjust things; and I think thats sufficient to stop any reply concerning that particular.

*Which wants no witness.

Shall would oft add wood has to them who perswaded me

As to the third particular, which they will say we should prove, viz. That those persons mentioned as witnesses, were the persons who perswaded the Widdow *Atye* to make an unjust Will, I say thus; If she was perswaded, she was perswaded by some persons or other; Now that no other persons

persons did perswade her, I need not go about to prove, nor do I believe it, but the contrary; yet that those persons above named were two of them, who did endeavour to perswade her (to answer in the like method) is not improbable, for that they two * onely were witnesses to the former unjust Will, which the Widow *Aye* burnt afterwards, and also to this last pretended Will. • Besides
Bohock's servant

And again further, it is evident, by the Widdows confession against *Mr. Dove*, concerning the former Will which she burnt, and which was the same with this, had the elder sister or her husband been curious to know all circumstances and particulars about the gaining and making of which Will, they wanted not opportunity enough, but they had no thought that ever it would be needfull to make use of any; And therefore it is, that we have nothing but what the Widdow *Aye* at several times, did voluntarily confesse without asking: which though it happens to be lesse full, yet is it therefore more valid, because confessed of her own accord: And I must here note, that she did especially name *Mrs. Dove*; tis like she was more insinuating and prevalent with her then he, and I easily can believe her worthy of the greater blame: If she would bestow any endeavours to clear her self; I would desire her first to give a reason, why she did so strictly catechise the Widdow *Aye* (one time when she gave her a visite, a while after the widdow *Aye* had burnt her former unjust will) concerning her affection towards her daughters and their husbands, asking her which of them she loved best, and if she had not more respect for the younger daughters husband, with divers more questions of like nature: But I leave them and come to *Mr. Bostock*, whom indeed, I cannot say she taxed by name to any person, he had too great an influence upon her, and she too cautious a respect towards him, because all her Interest was at his dispose and management; and yet I believe, she would have taxed him particularly, had any body asked her the question (but as I said before, we have nothing but what she confessed voluntarily) yet thus much I will say, that I can tax him, and say

say so much as will make any Jury of reasonable impartial persons, conclude him to be *Dux facit sub famina presidio*.

First, I can say, that the widdow *Atye* told her elder daughter once upon occasion of her speaking against him, that she had best have a care what she said of Mr. *Bostock*, for he would do her a greater mischief, than any yet he had done her.

This also I can say, that shortly after the widdow *Atye* had made her first unjust Will, which was afterwards by her burnt, the elder Sisters husband met Mr. *Bostock* by chance in *Cheap-side*, where after he had asked some questions concerning the 300l. put out to *Halton*; the elder sisters husband just upon their parting took occasion briefly to tell him, that he had heard by some, that his wives mother had made her Will, adding moreover, that he was willing to hope she had dealt well between her daughters; to which Mr. *Bostock* replied (confessing the Will) that she had dealt justly between them both, and done nothing but what became a loving and an affectionate mother towards her children, wherein I am sure his own conscience, at that time, could not but give him the lye, but that was no great matter to him, and being swallowed, made but the more way for another: For upon this, he goes and tells the widow *Atye*, that her elder daughters

At which she
was in a rage
and after took
occasion to
vent her anger
against him in
railing lan-
guage.

husband came to him, * to enquire what particulars were in her Will, which was totally false; for he neither came to him but met him by chance; nor did he ever ask any question about the particulars of the Will, but onely said in general, that it was told him she had made a Will: Nor did he say this purposely, but onely *obiter* & by the way briefly; And now if Mr. *Bostock* were not guilty of perswading the widow *Atye* to make this unjust Will, why was he so officious to cover it by a contrary pretence; and afterwards so forward to render the elder daughters husband distasteful to the widow *Atye*, by laying a false accusation against him. Besides concerning that particular of the 300l. losse to the elder daughter by laying upon her the debt which Mr. *Bostock* made from Sr. *William Halton* (his own chapman) Mr. *Bostock* would still all along perswade the Widdow

Atye

Atye, (who was alwaies too credulous of him) that it was in a good case, and would be recovered: thereby endeavouring both to cover his own guilt, and do the elder daughter a further mischief: For the widow *Atye* would often repeat what hopes Mr. *Bostock* gave her that that 300l would prove good: Yet had the elder daughters husband ever gained the opportunity he sought for, viz. to meet him in the Widow *Atyes* Chamber, he would have been able to have convinced them both, and made Mr. *Bostock* ashamed of such a false pretence. But above all, to evidence his sufficient guilt is, What no body will, nor he himself can deny, and that is, that he contrived and drew up this Will, and sure he was able to judge between right and wrong in a plain case, which he knew as much of and rather more (as he had reason) then any one else; to wit, in particular of the elder sisters great losse: And yet could he be content to add injustice to affliction, *By promoting mischief as a law*, Psal. 94. 20. (this he did by making her Will) which surely had never been done, had he withdrawn his helping hand; and therefore he is cast by the law of Accessaries; *Qui non vetat peccare cum possit, ipse jubet*: *Qui causam damn. dedit,* Thus much at least against him more then against all others. &c. But suppose we should wave most of what we have said, and begin again upon this point, taking as yet *damnum d. diss. censetur.* no more for granted but this, viz. that these persons only perswaded the widow *Atye* to make a Will, barely a Will: Surely, this was for a good end or a bad; For we will not deny them the dignity of reasonable creatures, who alwayes intend what ever they doe upon some purpose or other; I say, sure it was for some good or bad, either for the promotion, or for the prevention of injustice; that it was for the promotion of injustice, sure none of them will easily confesse; I know it is not so creditable a thing, as that any person, though forward to act and abet it, should be ready to own it under that notion, and in its proper colour; Let us take it then into examination, under the fair vizard of a good intention, and trimm'd up in the most plausible expression, which may be this, viz.

F

That

That none of them intended any injustice, but onely a Will, and that upon a prudent account; for there being no will before, it was a great hazard, that some difference might arise, and some injustice be done on one side or other, and perhaps a law suit be commenced after the widow *Ayes* decease. For the prevention of all which mischief, it was necessary, that a Will should be made. And therefore they perswaded the widow *Aye* to it. To this (by way of concession, yet not granting, but supposing) that there was no will before) I answer, if the not being of a will could be the cause of falling out, and injustice between the parties concerned; sure then, the being of an unjust will would much more cause it. But this not being to the main point, they may reply, repeating again, they knew not that it would be unjust; but intended the contrary, *viz.* to prevent injustice: Further then, I say, It seems some difference and injustice was feared; and I desire then to ask, for whose sake did they endeavour a will; that is, for whose interest did they expresse this tenderneſſe; by no means I warrant upon any account, but onely for pure justice sake alone. And ought they not then to have seriously considered by what means peace and justice might be best preserved and secured on both sides; and was it not necessary for the end, to advise with both parties, sure if any, and not with one of them onely, before any resolution had been taken up to perswade the widow *Aye* to any thing: Yet this I am sure was never done, and some of the parties are absolute strangers to the elder sister and her husband: But had they a respect herein to the elder daughters Interest (I mean not in a partial manner, but out of a conscientious tenderneſſe, as perceiving she was most likely to suffer wrong else) I pray then let them vindicate their integrity by producing some evidence, that they did earnestly sollicite and counsel, and intreate the widow *Aye* to do her right; but this must be then against the widow *Ayes* own confession and complaint, which will be too hard a task for any of them: Sure at last, it will be found, they perswaded this will, for the sake of the younger

Quicunq; aliquid statuerit parte inaudita tamquam equum statuerit, haud equus fuit. Sen. Tra.

ger daughter and her husband; for this was according to their hearts, and upon * their own motion first, that they did undertake to perswade their mother to make a will: And now let us consider, these were the persons who had least reason to fear any injustice; as having the great advantage of * possession already on their side, which is they say 11. points in law.

But to speak more fully to the matter, I deny that it was at all necessary, as the case stood for the prevention of injustice or any difference, that a will should be made; for that will must either be just or unjust; now to say that an unjust will was necessary to prevent injustice, is nonsense; and on the other side, if the will had been never so just, it could order no more then what the common law would have done without it, viz. to make both the daughters co-heirs, and an equall dividend of the estate between them: And therefore a will was not necessary: Again, a will whether just or unjust, could not prevent a litigation or commencement of a law-suit, were the elder sister so minded, since she may upon good ground question her Mothers estate, as being her Mothers creditor; and further a will could not prevent any grudging or emulation between the two sisters, nor their husbands: For if it were unjust, it would give good cause to one part, and if never so just, that part who coveted all (as it seems, the younger sister and husband did) would take cause of discontent: yet again further, I do positively affirm, that neither the being of a just will, nor the not being of any will could give any advantage, or disadvantage on either side, *in respect to justice*: But the being of a will, if unjust might greatly increase the disadvantage on the elder sisters part, by strengthening the younger sisters possession, with the additional pretence of a Title.

Etenim si is qui non defendit injuriam, neque propul/at à suis cum potest, injustè facit, quales habendus est is, qui non modo non repellit, sed etiam adjuvat injuriam. Cic.

* 'Tis easie to say that this is a lye, but I am sure they can never prove it so.

But I can prove against them by the testimony of a person, to whom he confest it, that they did endeavour their Mother should make a Will, and for this reason, because the elder sister as he said, should not exalt her self against them.

* Whereas the elder daughter and her husband, never to this day, had the value of a dish or spoon, more than already is mentioned, notwithstanding their great loss of three hundred pounds, &c.

Yet we have not done, for I must now contradict what before for arguments sake, I onely supposed, *viz.* That when this will was perswaded, the widow *Atye*, she had ordered no will before, which was that time uncanceled, and I must object against those, who perswaded it, that there was a will already made, and indeed if rightly considered was not in her power to disanull, for that before the marriage of her daughter she had bound her self according to the contents thereof; and ratified it again also after, as is observed before page 19. in a solemne manner, and made it so exact, that it might be said *temperamentum ad pondus*, Though I must needs say even of this will, that it was not *ad justitiam*, and so would have been found, had the elder daughter been minded to examine it; for sure some recompence would have been given at least at her mothers death, for her great loss by her onely means, as also for the use of her estate, for many years without any account or allowance, or at least some gratuitie might well have been expected for her great affectionate dutifulness, and extraordinary service performed to her Mother, for so long time; to her own exceeding great and apparent disadvantage. Whereas yet there was not a peny, or peny-worth given her thereby, more then to her younger sister, who had no such things to alledge for her self: Notwithstanding all this, the elder sister was very well content with this will, though it gave her just cause of exception, and might not the younger sister then be well content, when it gave her much more than just satisfaction: yet if they thought it not secure enough as a Nuncupative will onely, they might have had it in *scriptis*, with as much formality and assurance as they could devise; and I am sure without the least distast, and with all contenton the elder sisters part. And since any persons would perswade the widow *Atye* to settle her will by writing, why not after the tenour of this will now last mentioned? but I presume I have said enough, to silence all replies, and to make all necessity of the widow *Atyes* making a new will to disappear; and now I pray, to what purpose

purpose serves all the solicitations of these busie persons, unlesse unto an ill one, and to draw upon themselves the guilt of the widow *Atys* crime? from which all their pretences will never be able to excuse them; though I am willing they should say for themselves, all they can imagine. And therefore, if any of them shall yet reply, that they were ignorant of all this hitherto objected, and onely thought fit to advise the mother to make a will upon the desire and information of the younger daughter and her husband, who pretended things to be much otherwise than it seems they were: I answer, This doth onely transfer the greater guilt upon the younger sister and her husband; but yet it excuseth not them, who ought the rather to be cautious in the concernments of another person they had not heard, and with whom they had no acquaintance; and as for all that had acquaintance with the elder sister; I am sure they neither knew nor could believe any unworthy thing of her: Yet more particularly for Mr. *Dove*, should we, to do him a favour, admit him an *Ignoramus* and endeavour to excuse him *à tanto*, by allowing this plea in his behalf; That he knew of no ill intent in himself or others, but came upon call as a meer Witnesse, without any previous consideration; (yet methinks, at least he might remember he had been a Witnesse once before, on the same occasion, and to the same businesse, which makes it somewhat improbable, that he should now follow as the young men did *Absolom* in the simplicity of his heart:) but admitting thus much, did he not yet know, nor could he not then remember, that the validity of a Conveyance depends upon the sufficiency of the Witnesse: And is not a Will a grand Conveyance, whereby indeed, persons most concerned are most lyable unto injury, because they commonly know least (before hand) of the Contents of them, being uncapable of Witnessing, and having no reciprocall action to perform at the ensealing of them, (as in other cases.) How then can any person (with a good conscience) witnesse any will, which he either knows to be unjust, or else knows nothing of at all (unlesse to keep him from be-

*Jussio, Conflicti,
consensus, pal-
po, recursus,
Participans
monus, non ob-
stans non mani-
fests.*

2 Sam. 15. 11.

*Immoderata ira
gignit insani-
am.*

*In omnes per-
sonas hic ar-
descit affectus.
Nec interest
quam Magna
causa nascen-
tar, sed in
qualem perve-
niet animum.*

*Sic ignis non
refert quam
magnus, sed
quo incidat.*

Sen de Ira.

*Quae enim
cum perturba-
tione aliqua
fiunt, ea nec
constanter fie-
ri possunt, nec
is qui adiunt
probari.*

Cic. off.

1 Cor. 10. 25.

ing accessory to injustice, he have a protest or a solemn promise from the Testator, that he or she intends no wrong nor injustice: But besides, had Mr. Dove never heard, that the Widow Atye had voluntarily acknowledged her former Will (whereto he also was a Witness) to be most unjust, and was troubled in mind until she had burnt it; and had he not good cause then to be cautious what he witnessed now again? nay, had he not just ground to suspect this Will to be like the former, it being made presently upon the Widdow Atyes remove from her elder daughters house, after a short stay there? which must needs argue some displeasure and falling out; and she was yet greatly transported with passion, which she bewraied to all who came to see her: And is it likely, that she should settle her Estate according to justice, when she was so much disturbed and unsettled her self? But yet shall we think the respect of neighbourhood constrains Mr. Dove to be a silent witness? (for I dare say, it was not as the Apostle adviseth in another case) that Mr. Dove asked no *question for conscience sake; yet if his young neighbour can make him amends for wounding his conscience, by promoting injustice for his sake, it is well enough; otherwise he may perhaps repent it, when I shall have digested all trouble for the injury; and so I leave him, with no worse wish to him nor any other. Yet I must needs say somewhat more (by way of expostulation) to Mr. Bostock, who, I am sure, hath least of all to say for himself: What strange principles hath he seemed to imbibe? I ever took it as a piece of natural justice, for all Creatures to cherish and provide for their own; and is it not then an high point of injustice, for any person to injure their own in what is given them by others? was not he an instrument in the great losse of the elder daughter? and did he not know, that her mother, in that last unjust Will of hers, not onely made her no recompence for it, but also took from her all part in her Estate, which she ought by the law of nature to impart to her, and onely gave her some very small matter to cut her off from further claim?

I can-

I cannot say, but that he knew also that the Widdow *Atye* repented of this (as she had good cause) and therefore burnt her Will; and yet did this still continue so just in his eyes, which had been so unjust in hers (however now transported) that he thought it fit she should repent of her very repentance, by doing the same thing again; I know his thoughts could not but reflect upon the injustice * of the thing; and where then was his charity towards his neighbour, and his compassion towards her, when he not onely suffered her to goe in a wrong path, but also helpt to turn her out of the right way, even then when the shadows of the night were already come upon her? where was his civill respect, but to her credit, when he caused her, by the injustice of her last action, to leave an ingrate favour and memory even with her best acquaintance? or if he were somewhat malicious against the elder daughter (and I dare * say it was for nothing but telling the truth) yet what should urge him to such mischief against the mother (who, I am confident, never gave him the least cause, unless it were by trusting him too much?) and yet what could the Devil himself doe more against her, then his endeavours tended to? But above all, how could he be so unkind unto himself as to draw the guilt of so great injustice upon his own head? Could not the sight of that pale Horse at the Widdows bedside (if yet he could see it for his pen and ink) fright him into a remembrance of that summons, which shall be served upon him to appear at the last dreadful account? when if we can never be able to answer for one of a thousand of those sins which begin and determine within and upon our selves, what shall we say for the sins whereto we have drawn others? And how will those persons justifie themselves, who were any way instrumentall

* Let Mr. *Boslock*, or all the world, if they can, object the least demerit against the elder daughter, which may put the least shew of reason or justice upon her Mothers dealing towards her. Nay, I challenge any to prove, that she was not in all respects a most highly obliging Daughter to her.

* I presume he had been told of some passionate speeches of the elder Daughter to her Mother against him, for loosing of her 300 l. And who can blame her for speaking a little, having lost so much.

*Ingentis Ire
exilis, Furor.
Seneca de
ira.*

tall both to raise and foment the Widdow *Atye* passion against her elder daughter, and in the height of that her passion, over perswade her to doe that causelessly against her said daughter, which she had once before done by their perswasion, but of her self undone again, and sorely repented of? This seems to fix the greater guilt upon them, since they better knew (that time) what the Widdow *Atye* did, then she her self; nor is this my opinion alone, but the judgement of those, who had better opportunity to observe her, and who upon a visit to the Widdow *Atye* (after she was seduced again to her younger daughters, and much about the time when this last pretended Will bears date) found the Widdow *Atye* in a very raving condition, and mindless of what she said; I presume the younger daughter will easily remember one of these parties above the rest, at least by this token, that the same party took occasion to reprove her, the said younger daughter, in a christian and friendly manner, for that she spared not even at that time, in her presence and hearing, when her Mother was in that distempered condition, to endeavour by several speeches to exasperate her yet more against her elder sister. Indeed the younger daughter and her husband are the chief causes of all the wrong done to the elder daughter by this last pretended Will: whatever therefore I have directed to any other person, throughout this whole relation, concerning that particu-

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Neque est ullum bonum, de quo is qui id habeat, non honeste possit gloriari.

Quid est quod afferre tantum possit utilitas ista, quæ dicitur quantum auferret, si boni viri nomen eripuerit, fidem justitiamque detraxerit. Homo autem justus isque quem sentimus virum bonum, nihil cuique quod in se transferat detrabet. Cic. in off.

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chafe, when the present mist of your avarice shall be dissipated, and no longer cloud the eyes of your mind from perceiving clearly that it hath cost both the losse of your own good conscience, and your Mothers credit at least besides, which last particular much aggravates the former in reference to you; and what ever you may pretend, doth and will shew you to be as unnatural towards your dead Mother, as that false Mother was towards the living Child before *Solomon*. 2 *King* 1.3. since you are so earnest to affirm the dead Child of an unjust Will to be her own natural issue, and divide the living Child, I mean (though I might enlarge it further) destroy her credit with the sword of infamy.

And methinks the conscience of this your crime and great unworthiness should bring your Mother into your fancy by a frightful *Prosopopæia*, speaking to you in the language of *Jacob* to *Simeon* and *Levi* his two sons, who were *Fratres in malo*, *Ye have troubled me, and made me to sink amongst the inhabitants of the Land*

But I have made too long and tedious a digression, 'tis time I should return to my relation, and more then time, I must confess, that I had made an end of it.

The last particular in our relation was the departure of the Widdow *Atye* from her elder daughters house, with great passion and discontent on all sides: [“*And on her part with a great deal of unhand-*
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“*liged her, and to whom (had she well considered it) even*
“*upon a principle of good manners, to say no further, she*
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“*think, she would also, but that sure her younger daughter*
“*and her husband had made her besides her self, so that she*
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Seneca de
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expected, notwithstanding, her daughter should be as serviceable to her as ever (though none, I think, will say she was bound to neglect her Child and household, to goe every day a great way from home, to doe that for her Mother which others might perform (though indeed none used to please her so well:) But after she had broken the ice by going the first time, which was the fourth of *December*, she continued to visit her once in three or four dayes (so long as she might) not knowing how soon her mother might depart this world: At her second visit, amongst other speeches, mention being made of a Will, her elder daughter took occasion to tell her mother, that it was reported to her, she had made another Will,

*Ratio hoc postulat nequid insidiosè,
nequid simulatè nequid falaciter. Cic.*

Therefore this is further a good Argument of her Debrancy, or at least of inward conviction, and of their over-awing or perswading her, now she was under their roof.

and given all to her younger sister. To which she answered, That she had made none, and therefore, saith she, take notice, that I give your younger sister such a Taffaty Petticoat, which my will is she shall have to her self.

This her denial was on the ninth of *December*, and yet this pretended Will beares date on the three and twentieth of *November*, lesse then a week after her carrying away from her elder daughters in such a distempered condition, but before such time as she had seen her elder daughter again.

On Tuesday *December* the thirteenth, was the third visit she gave her mother, to which she added still another, the Wednesday, Thursday, Fryday, and Saturday of that week; and the Thursday night she watcht with her mother, which was very kindly taken by her, and for which she gave her many thanks, on Fryday night, when she went home from her: yet when she returned to see her again the next day in the afternoon, being Saturday, her presence was unwelcome; she, whose company was but a while before received with thankfulness, was not now to be endured in sight, so great an alteration did a few houres discover in this womans affections; and the first word she gave her daughter, before her daughter had spoken any
one

one to her, was, to be gone out of her sight, which was repeated again and again, with the addition of other un-
 handsome and opprobrious speeches, her mother growing
 worse and worse till she was gone out of the room: [Nay
 so bitter she was, that mistaking anothers coughing for her
 daughters, she bade away with her, saying also, if she had
 been able she would kick her out: which yet further
 shews, she was not *compos mentis*, or at least she was *tanquam
 non compos mentis*; and transported by the malicious and
 false suggestion of the younger sister and her husband,
 whereby for their own advantage they sought to enrage
 her against their elder sister] Here was occasion enough
 to have transported any person through grief and amaze-
 ment at so sudden and great a change; but her elder
 daughter was outwardly calm, and recollected her self
 into this resolution, not to leave the house though, untill
 she saw some further issue of this strange event; the ra-
 ther, for that she understood a Reverend Divine was sent
 for by her mothers desire. To him at length she relates
 her case, but not till after he had spent some time in speech
 and prayer with her mother; He is sorry to hear it, and
 wisht she had told him sooner, for now, saith he, having
 spent some time in discourse with your mother already,
 and she being weak, there is no further opportunity to en-
 ter upon the notice of these things to night, yet at my
 next visit I will take occasion to speak of them, and in-
 deavour all the good I can between you: With this an-
 swer she is satisfied for present, and willing to goe home,
 and remain in expectation for a time. So on Tuesday
 she goes again (understanding Mr. Shute had been with
 her mother a second time on Monday) but finds her
 mother in the same gall of bitterness against her, and not
 willing to have her in presence, but yet saith, she forgives
 her, she forgives her, and yet at the same instant her
 daughter answering, That she hoped she should not be
 accounted unworthy to come near her mother, for she
 was her daughter, and further hoped, her mother would
 own, and so acknowledge her, by dealing with her as her

Mr. Shute.

child, and giving her an equal share with her younger sister in what she had. The mother replies with exceeding bitter and reviling language against her, so that she was fain to leave the room; and in this manner did her mother forgive her [“If the speaking of a truth, though
 “not unseasonably, but upon a very great reason, was a
 “crime, she needed forgiveness. For she had told her mother before, upon the occasion of her mothers exceeding and
 “strange bitterness towards her, That she had wronged by her,
 “and was five hundred pounds the worse for her mother (and
 “that she spake much within compass may be made appear to
 “any that shall enquire) and further told her, that though
 “she had been her servant many yeares, yet she preferred
 “her younger sister in all things before her; whereas notwithstanding all she desired was, that she might be but
 “made equall with her younger sister now at last, that no
 “ground of discontent might be between them, but that
 “they might live lovingly alwayes one towards another.
 “And this was the worst language that the greatest provocation ever forced from her mouth towards her mother:
 “And should I relate what I know of the provocation offered her, it might be wondered at that she never said any
 “more] With the repetition of which language over and over, divers times (and such, for ought I know, they first put into her mothers mouth) her good sister, and especially her sisters husband, were so affectionate, as to endeavour to comfort her by and by after (in Mr. Shute’s presence, for he was sent for) asking her, what she could desire more to satisfy her? As if they had studied how to aggravate and set a sharper edge upon her passions, by adding reproach to her afflictions, and pouring the gall and vinegar of a Sarcasme into the wounds she had already received by their former abuses; and thus they repeat she shall be forgiven.

Hereupon at length she answers, directing her speech to Mr. Shute, which was to this purpose, that she was desirous of her mothers favour, and ready to receive her forgiveness, and as ready to ask it on her knees,

knees before them all, if first her mother will be pleased to declare wherein she hath offended, or been undutiful, that she her self may know for what to ask forgiveness from her mother, which was but reasonable and absolutely necessary also. And further, she desires as much satisfaction in her mothers forgiveness of her, as her mother shall expect in her submission, which is, that she might be permitted to come and see her mother, and be lovingly received as her daughter, and that her husband might also come with her, and that there might be such mutual affection and respect between them all, as became such near relations: For, saith she, if my mother will not indure me in her presence, how is her forgiveness manifested? and how can I be satisfied in it?

Here the younger sister puts in a word, That she would by no means have her sisters husband come with her to her mother, for it would not be fit. Wherefore I pray? Were you afraid he should speak too much reason for your profit?

Mr. *Shute* presently acknowledgeth this to be very reasonable, and a most just desire; and thereupon took it upon himself to perswade her mother into this christian frame and temper, whereto he promiseth to set his utmost endeavours; saying further, if he could not prevail so farr with her, he must then excuse the daughter, and give the mother over as a person not to be dealt with. In this promise of Mr. *Shutes*, the elder daughter resolves to acquiesce, and come no more to see her mother, untill she heard further what would be the effect of Mr. *Shute's* paines with her; and indeed 'twas in vain otherwise, for her visiting them did but increase her own affliction, while she could receive nothing but base language from her mother (so base indeed as is not fit to be repeated:) and almost as great respect she had from her younger sister and her husband, for their last complement was, to bid her get out of their house; which she did, and never returned thither again to see her mother alive, for she died that *January 3.* day fortnight after: And it seems Mr. *Shute* found no opportunity (during that interval) to fasten any thing upon her; yet (as themselves say) since, their mother

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was the day before she died in a very calm, good temper and disposition; but they sent Mr. *Shute* no notice at all of it (though his house was very near) by which may be perceived how they stood affected; and for failing, they have given us some other characters, which being put together with it, doe spell it more plainly.

* One Mrs. *Stampe*, whom the elder sister was too forward to believe, her friend also, till she found the contrary, and that, like the *Camelion*, she is alwayes of the same colour with what she is next applied unto, which I could prove by several instances, were I willing to spoil more paper, and increase the trouble of my pen, too much wearied already with this nauseous employment.

Their mother drawing on (as they perceive and judge) they send * for a friend of theirs to come to her, one who used to visit her, and had been her next neighbour, when she lived in *Crutched-Friars*: To fetch this person, their messenger must needs passe by their sisters house (being in the way) and yet they give her not the least notice of their mothers condition; [*“ But, I rather presume, charge*

“ the messenger to the contrary, else sure he would have done it of himself”] neither then nor any time while she had life; 'twas too soon yet, they thought, and time enough for her to know it, when they had taken some hours after her death to dispose things, as they thought most convenient, and then they give their elder sister leave to come. Sure that her presence might then the better serve to set out their triumph, in the reading of that they called their mothers Will, which was now opened before several of their neighbours, intreated thither for that purpose.

But the elder sister refused to be in the room whilst that pretended Will was read; it was enough for her but to hear of, and too much also, I am sure, for the Widdow *Atyes* credit, that any one else should hear of so unreasonable and unjust a Will, violating not onely the Law of Nature, which bound her as a mother, but contemning also the principles of common Equity, which obliged her as a debtor, to pay what she ought, and restore, at least, some part of her daughters estate, all of which, she not having the least right to dispose of, without her daughters consent.

sent, had for many years, never asking that consent, or giving any account, converted to her own use, and thereby raised good part of what she left behind her: Thus she not onely gave her daughter nothing, whereby she might (as she ought) testifie the least affection of a Parent, but even took from her what was hers, more then which is not ordinarily aimed at by the malice of an enemy. And thus high it amounts, without casting into the account her neglect of her elder daughters interest,* if not worse, whereby she lost her 300 l. And further, her neglect which is worst of all of her elder daughters tender affection alwayes towards her, and her serviceablenesse in person, whereby for many yeares together she had received such comfort and advantage, (which she never received from her younger daughter) and for which upon a meer moral account she was therefore highly bound to gratifie her elder daughter; yet the last Scene and Catastrophy of her life had nothing in it of any such performance, but in a most ungrateful posture she left the world; whether more to her own discredit, or the just blame and shame of her younger daughter and her husband, is very disputable. For now further; the elder sister comes to be certified, that her mother was earnestly desirous to see her before she died, and two or three dayes before had made complaint to a friend, who came to visit her, that she had sent for her elder daughter, but she refused to come at her: ["I doubt they told their mother so; but am sure
 "they never sent for their sister, they knew well enough
 "that she stayed away upon the account of Mr. Shute's promise, in expectation of the event of his endeavours with
 "her mother, and would not come till she understood what
 "he had done, unlesse she were sent for; but they were
 "not willing he should doe any good, nor that their sister
 "should

*Sic vos non vobis vellera fertis
 oves,*

*Sic vos non vobis nidificatis
 Aves,*

*Sic vos non vobis mellificatis
 Apes,*

*Sic vos non vobis fertis Aratra
 Boves.*

* For I would fain know what can be said to defend the Widdow Atyes dealing toward her elder daughter, concerning that three hundred pounds mentioned page seventh in the beginning.

“should see her again (especially when their mother de-
 “sired it) for surely they were then afraid, that if she
 “came, their mother would cancell her unjust Will again,
 “and give their elder sister equall share with them. I could
 “also name the party, whom about a fortnight before their
 “mother sent for, desiring earnestly, that he might come to
 “her; but they, not being willing he should, pretended
 “they had sent, and told their mother, that the party was
 “busie, and could not come, at which she took exceptions
 “(being ever peevish) and would then send no more for
 “him.] After this again she desires to see her said daugh-
 ter, and gave command also that she should be sent for,
 adding withall, that she could not depart first, she could
 not die in peace, except she was by her (but it seems then
 she might die in trouble for all them) for they never sent
 for her, while her mother was living, but some hours after
 she had been dead they sent her word of it. And now
 this adds a new affliction to all the former, for their sister,
 to think how earnestly she desired to see her mother again,
 and continued in a longing expectation of some good
 news of Mr. Shute’s indeavours, that so she might goe to
 her mother with comfort; and now at the same time
 her mother should also desire to see her, and send for her,
 saying, she could not depart in peace till she were come,
 and yet her sister and her husband had neither so much
 honesty towards her, nor so much humanity towards their
 mother, as to fulfill her desire in sending her daughter
 word of it. This thing is testified, both by a woman that
 tended upon their mother at her death, and also by the
 party to whom she had complained that her daughter
 slighted her message, and refused to come at her. Now
 to this add what is related before of the sudden, and
 strange alteration in her mothers affection towards this
 her daughter (without any cause of distast given, so
 much as in word) which thing carries in it more then a
 probability, that some endeavours had been earnestly
 used, to render the elder daughter odious unto her mo-
 ther.

See pag. 50.
 and 51.

And

And I think no person will say, that these particulars last summed up are not sufficient (without the addition of any more, (though this relation (if lookt through) will offer not a few pregnant ones besides) to prove, that the younger sister and her husband did all along most *unworthily labour a base design against the elder sister, ^{* Levi ra sunt ea quæ repentinò aliquo motu accidunt, quàm ea quæ meditata ac præparata inferuntur.} which having been once overthrown, after they had wrought it up even to the highest story, they were fearfull that their second attempt should be recompenced with the like confusion; and since they had the enjoyment of no lesse then all their mother had, ^a in their desires, they thought that so much justice as would have ordered an equal distribution of it between both the daughters, would cost them too dear, though given in with the vantage of a mutual love and reconciliation on all sides; rather therefore then their mother should doe their elder sister the least right, they were willing she should doe her self the greatest wrong; yea, they neither feared ^b nor shamed that themselves should largely share with their mother in the guilt of that injustice, whereby their sister was defrauded, so that thereby they might cut her off from all share with ^c them in her mothers estate, as in justice she ought to have. In a word (and to speak favourably) I cannot charge the younger sister and her husband with lesse then an equall guilt of this wrong, though, by way of aggravation, much more may be said against their mother; And somewhat more I cannot chuse but note before I lay aside my pen.

Review this matter from the beginning, and we may find manifested all along, but especially by the Widdow Arys endeavour first, to alienate a good part of her daughters interest, given her by others, also by her arrogating the dispose of it all without her daughters consent, and

H

her

^a *Maximam autem partem ad injuriam faciendam aggrediuntur nonnulli, ut adipiscantur ea quæ concupiscunt, in quo vitio latissime patet Avaritia.*

^b *Sed quæ reverentia legum, quis Metus aut pudor unquam propterantis avari.* Juvenal.

^c *At hi quidem etiam vere hæreditates, non honeste vendunt, si sunt molitiosus blanditiis officiorum non veritate sed simulatione quæsitis.*

her actually disposing it without her knowledge or advice, though at five and twenty years of age: And further, by interposing her self, when any offer was made to her in behalf of her elder daughter, whereby she did oppose & really put her by severall fair and probable advantages, in the way of marriage, all after she was one and twenty years of age, [and could here be reckoned up, were it convenient] I say, hereby is manifest first a grand abuse of parental power, which sure was never enlarged by God, according to the will & humour of Parents, but always limited to the profit of the Children, for whom they are stewards in trust, and accountable for their carriage towards them: 'Tis the Law of Nature that puts Children, during their minority, under the tutelage and provision of their Parents; and 'tis the Law of Reason which, at yeares of discretion, admits them (if otherwise they forfeit it not) to a communication in their counsels and designs, which privilege is never (without the highest injury) to be denied them in those affaires, which more immediately concern themselves: As therefore to wrong or work the disadvantage of any under our charge, when they are unable to understand and pursue what is for their own benefit, is most extream unworthiness; so to over-rule them against reason, when they better understand themselves, is not lesse then absolute tyranny; whereof if Parents could not be culpable in reference to their Children, in vain had been that Precept of the Apostle, *Ephes. 6. 4. Provoke not your children.* But we have more in our present example: viz

2. An egregious baseness, in undervaluing the person of her elder daughter, by subjecting her to the ordinary drudgery of a servant, for many yeares together, and that to her self and *younger daughter*, which baseness is so much the more evident, by how much the lesse reason can be alledged for it, either from any necessity so requiring,* or from any defect in the elder daughter, whereby Nature might seem to have disfranchised her, as it were, and made her incapable of a better education; but quite contrary,

* For they had a competency to maintain a servant.

contrary, here was an abusive working upon a free nature, who, meerly out of a dutiful and affectionate disposition, was willing to abase her self, even under a full sense and apprehension of the wrong & indignity she suffered.

3. Here we have a flat cousenage, under which head I might rank every particular of the Widdow *Ayes* carriage, being indeed but one continued deceiving of her elder daughter, most unlike to what should be in Parents, who being intrusted with the *Totum* of their Children, are ever supposed to be very affectionate towards their welfare, and carefull to improve all opportunities to their advantage; yet here was nothing so, but a reall working of her daughters injury, wherein soever she had power to doe it: I list not to be further tedious in repetition, onely let me instance in one particular for all, *viz* her receiving the profits of her daughters estate, and converting it to her own use till she lost the principall; and at her death giving no account or recompence either for principall or interest.

4. We find a bitter oppression, or rather, the elder daughter found it by too sad and long experience, even an heap of wrongs, one upon the neck of another, wherein indeed consists the true nature of oppression; I say, in the aggravation of any persons present suffering, and the adding of injury unto affliction: This the Widdow *Aye* did both in word and deed, which if not evident enough from the particulars already set down in this relation, I could add yet more to make it up; but confesse, I am the rather willing to wave it, because what I have further to mention of her carriage, was over much tainted with the madness of passion, and looks, not so like a deliberated injury as the sudden effect of a distracted mind, where-with her last dayes were blemished, and which is evident beyond all question, to be occasioned by her younger daughters and her husbands over-agitating her in their design, from the time they set upon it, to get her home to themselves again, from her elder daughters house.

5. Here is palpable injustice all along, which no one who reads this relation, and hath a true notion of justice, I am sure will deny: for examine the Widdow *Atyes* dealing, by what part of it you will, either according to distributive justice, (which, I confess, not altogether so properly, yet without all absurdity, I may say belongs to Parents, to whom Children are subjected) and whether we consider that geometricall proportion arising from hence, and respecting the merit of the person; or whether we consider that arithmetically proportion arising from commutative justice, and respecting the profit she received by her daughters estate, we shall find the Widdow *Atyes* dealing to be much out of square, and indeed quite contrary to justice [if that definition of justice which the Schools give be allowed, viz. that it is, *Habitus quo quis perpetua & constanti voluntate jus suum cuique tribuit*] This shews,

6. A strange unnaturalness; Can a Mother forget her Child? When ever we hear of such a thing, there is no reason in nature can be given for it; and should I offer a reason from any other consideration, I might perhaps seem too censorious: But sure one would verily think it a most difficult thing for any Parent to offend in this particular, for that Nature seems to have given all Parents a greater sense and relish of the good or ill condition of their Children, then of any thing which more immediately concerns their own individuall persons. And hence proceeded that signall sorrow of *David* for *Abalom*, and his passionate wish, That the death of himself had excused his sons. And sure amongst all the gratulations and well-wishes which *David* ever received from the mouth of any one, I believe none ever pleased him better, I might say so well, as that *Epiphonema*, and affectionate ejaculation, of *Benaiah* the son of *Jehoiada*, 1 Kings 61. 37. concerning his son *Solomon*, That God would exalt his throne above the throne of his father *David*. Here was an equal affection towards Children unequall in disposition; but in our present example we have an unequall, yea, contrary affection towards two Children, who were, 'tis true, not of equal

*Quid autem
felicius quam
sibi cedere?*
Sen. de Benef.

2 Sam. 18. 33.

equal merit, but which makes the wonder, the greater and more tender affection is bestowed upon that person who had the least merit (not to say, who had greatly demerited) whilst the other, who had acquitted her self, according to the most exact rules of filial duty and affection, is not only not requited with some proportionable love, but even made (at last) the object (as it were) of her mothers hatred: So that quite contrary to a natural method, here was the daughters love streaming upwards, and the mothers running backwards, which shews;

7. The Complement of Ingratitude, The first degree whereof is the neglect of those, who have well deserved at our hands; and I am sure the highest step of it can proceed no further then a requital of good with evil, and the meeting of a benefit with an injury, which was here done. Ingratitude ever suppoeth (and is so in respect of) a benefit formerly received: But some there are who make it a great question, whether Children can confer any benefit or obligation on their Parents, and consequently whether Parents can be ungrateful towards their children. They who resolve it in the Negative are too hasty, and well consider not the import of those relations; and yet there are none of them, but who I presume will grant (without further dispute) that children may receive injury from their Parents: let them say then, why can they not give benefits to their Parents? For *inter se contraria sunt beneficium & injuria*. 'Tis an arrogant conceit, & beyond the truth of a creatures condition, to imagine, that any one can neither receive a benefit from, nor do injury to some others, and 'tis too insolent a depression of the relation of Children to exclude them from all possibility of merit in respect of their Parents. *Refert enim cuius animi sit qui prestat, non cuius status, animus est qui parva extollit, sordida illustrat, magna in pretio habita debonestat. Nul-li preclusa virtus est, omnibus patet, omnes admittit, omnes invitat, &c. Quid animus magnus promitteret sibi, si certam virtutem fortuna mutaret? Quid interest quali quisque teneatur imperio, si summo tenetur?*

*Patris suos non
distingunt seve
& se, in a-
mentum pari-
ter omnium
servant.*

*Ingratus est
qui gratiam
bene merenti
non reponit.*

*Liberi quasi
liberi.*

I forget not that distinction, *inter beneficium, officium & Ministerium*; the first whereof is, *quod quis dedit, cum illi liceret & non dare*; The other two notions comprehend the endeavours of inferiour relations properly, who are under a naturall or legall obligation; but this be taken by the way: That there are *officia tam parentum quam liberorum*, for obligations are mutuall as well from the Parents to Children, as from the Children to the Parents; which on both sides may be weakened, or strengthened accidentally, according to the behaviour and fortune of the parties related; whence it may come to passe, that the inferiour relations may give sometimes greater benefits to their superiours, then they have received from them; Tis not my design, and I have little reason to lessen that just esteem of Parents, or to detract from that reverence due to them: I willingly acknowledge a far greater obligation to be on the Childrens part: yet there are some things, which no laws doe either command or forbid: And in these Children sometimes may take the advantage of benefiting and obliging their Parents, which when they doe, if Parents shall answer them with neglect, or requite them with injury, it is extream ingratitude. And this I say, again, we have here fullfilled in our present example of a mother, who did much lesse for the daughter, and a daughter who did more for her Mother, than any law of God or man did any way oblige her unto: A Mother alwayes injurious to her daughter, in what she could; and a daughter alwayes beneficiall to her Mother. Profitable to her by her Interest, which she might have withdrawn from her Mothers dispose, very usefull in her person, wherein she was her voluntary servant (* some have said slave) for many years when she might have done otherwise; exceeding dutiful in her affection (& never forsaking her) whereby her mother had a long continued comfort and advantage, So that the expostulation of our Saviour to the Jews; may be taken up in the daughters behalf, for which of her good deeds was she thus requited? [And let the younger sister at least make answer; or disprove any
 “ yet

* Who knew
 full well.

John 10. 32.

"particular in the whole foregoing relation : which if she
 "can much concerns her, that she might, if not her Mother;
 "yet vindicate her self from the foule stain of ingratitude
 "towards her Sister; and thus requiting her for all her
 love; and her pains bestowed upon her also: But the el-
 "der sister hath bestowed what she *cannot loose, and the
 "younger hath kept back, and done that which not one-
 "ly can never profit her; but may make her a fitter ob-
 "ject of pittie than anger.

*Quod præterit
inter tuta sepo-
situm est.*

*Gratum homi-
nem benefi-
cium semper de-
lectat ingra-
tum semel.*

Peccare, nunquam utile est, quia semper est turpe. Cic.

"Maxima est; factæ injuriæ pana fecisse, nec quisquam gra-
 "vius afficitur, quam qui ad supplicium penitentiæ traditur.
 "Impunita tu credis esse quæ invisa sunt! aut ulum supplicium
 "gravius existimas ~~publico~~ publico odio? Sen.]

Ingratitude is a word, which in four sillables compre-
 hends all that can be said: And it may seem a bold charge
 to accuse a Mother of it: Necessary therefore it was, to
 adde somewhat by way of proving the possibility of the
 thing. Concerning which if any one yet remain unsatis-
 fied, I referre them to *Seneca*, in whose booke *de beneficiis*,
 they may soon read more for proof of this point then any
 one will ever be able to Answer. It were easie for me to
 maintain this argument at his cost; but at this time too
 tedious for me to insist on it: and therefore I here most
 willingly make an end.

*Ingratum dix-
it, omnia dix-
it.*

Job 27.5. God forbid that I should justify you: untill I dye I will
 never take away mine innocency from my self.

Nam negligere quid de se quisque sentiat; non solum
 arrogantis est, sed etiam omnino dissoluti. Cic.

FINIS.